

THURSDAY, MAY 21, 1981
FIFTY-FIRST LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative William Richardson of Maury County.

Representative Richardson led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 96

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

The Speaker announced that Representative Stafford was excused because of illness.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.

130—To amend Title 49, Chapter 42, Code; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 178, 663, 690 and 1244, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

158—Relative to study, medical radiation; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

547—To allow confiscation of property used in certain crimes; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1098—To authorize certain cities to contract for services; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1003—To increase motor vehicle fuel use tax; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

672—To amend Section 33-604, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

140—Relative to study, changes, chambers and visitors galleries;

151—Relative to recess, Ninety-second General Assembly;

152—Relative to recess, Ninety-second General Assembly; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

267—To appropriate funds, institute of African Affairs;

763—To amend Title 8, Chapter 23, Part 2, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

213—Relative to congratulating Joe Huffine, Doug Kitzmiller, Lisa Treadway and Alisa Day;

215—Relative to congratulating Cleveland High School band;

220—Relative to congratulating Miss Jo Alison Lobertini;

221—Relative to congratulating Hiwassee Junior College basketball team;

222—Relative to supporting Veteran's Administration Medical Center, Murfreesboro;

230—Relative to memory, Virgil Lee Mathews, Sr.;

232—Relative to recognizing teachers, proficiency testing;

233—Relative to congratulating Cohn High School boys' basketball team;

234—Relative to congratulating LaRita Shelby, Miss Black World;

239—Relative to congratulating Whites Creek High School boys' track team; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

322—To amend Section 57-3-406(f), Code;

1091—To amend Title 64, Chapter 24, Code; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.

104—To continue funding, Assistant District Attorney General, certain judicial cir-

cuits; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

UNFINISHED BUSINESS

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 12—To impose mandatory sentences, burglary convictions.

SENATE AMENDMENT NO. 1

Amend House Bill No. 12 by deleting Sections 1, 2, 3, 4, 5 and 6 in their entirety and substituting instead the following:

Section 1. Tennessee Code Annotated, Title 39, Chapter 9, is amended by adding the following new section to the end of the chapter:

SECTION—.

(a) Any person who is convicted of a violation of Tennessee Code Annotated, Sections 39-901, 39-902, 39-903 or 39-904 for the first time shall not be granted parole nor shall his sentence be suspended and he placed on probation unless such person either makes or agrees in writing to make full restitution to the victim of such crime for the amount of money or the value of any property lost as the result of such offense. The court or board of paroles shall revoke the probation or parole of any person who fails to make full restitution as required by this section. If such restitution is to be made in installments pursuant to a written agreement, failure to pay any three (3) consecutive installments or failure to pay fewer than five (5) installments during any one (1) year shall constitute failure to make restitution for the purpose of revoking such probation or parole.

(b)

(1) Upon conviction for a violation of Tennessee Code Annotated, Section 39-901, if the district attorney general, or his designee, introduces a certified document to the court showing that such person has been previously convicted of such offense, such person shall not be considered for or granted parole, or otherwise released until such time as he has served at least three (3) calendar years of the sentence received for the second such conviction.

(2) Upon a proper showing that a person convicted of a violation of Tennessee Code Annotated, Sections 39-902, 39-903, or 39-904 has been previously convicted of any of such offenses, such person shall not be considered for or granted parole or otherwise released until such time as he has served at least two (2) calendar years of the sentence received for the second such conviction.

(3) If the proof offered to obtain the second conviction for any of the offenses specified in subsections (b)(1) or (b)(2) of this section shows that the person had in his possession a firearm at the time of the breaking and entering, he shall not be considered for or granted parole or otherwise released until such time as he has served at least four (4) calendar years of the sentence received for such second conviction.

(4) A person convicted for the second time of one (1) or more of the offenses specified in subsection (b)(1) or (b)(2) of this section may receive prisoner performance sentence credits, good conduct sentence credits or any other sentence reduction credits for which he may be eligible. Provided, however, any sentence reduction credits received shall not operate to cause such person's sentence to expire or such person to be eligible for release earlier than the mandatory sentence required by subsection (b)(1), (b)(2) or (b)(3) of this section.

(5) Notwithstanding any other provision of Tennessee Code Annotated, Title 41, Chapters 3 or 18 to the contrary, no person serving a sentence for a second conviction of one (1) of the offenses specified in subsection (b) (1) or (b) (2) of this section shall be eligible for any program whereby he may be granted supervised or unsupervised release into the community.

(c)

(1) Upon conviction for a violation of Tennessee Code Annotated, Section 39-901, if the district attorney general, or his designee, introduces certified documents to the court showing that such person has been previously convicted of such offense two (2) or more times, such person shall not be considered for or granted parole or otherwise released until such time as he has served at least five (5) calendar years of the sentence received for the third or subsequent such conviction.

(2) Upon a proper showing that a person convicted of a violation of Tennessee Code Annotated, Section 39-902, 39-903, or 39-904, has been previously convicted of any of such offenses two (2) or more times, or convicted of at least one (1) previous violation of Tennessee Code Annotated, Section 39-901 and at least one (1) previous violation of Tennessee Code Annotated, Section 39-902, 39-903 or 39-904, such person shall not be considered for or granted parole or otherwise released until such time as he has served at least four (4) calendar years of the sentence received for the third or subsequent such conviction.

(3) If the proof offered to obtain the third or subsequent conviction for any of the offenses specified in subsections (c)(1) or (c)(2), of this section shows that the person had in his possession a firearm at the time of the breaking and entering, he shall not be considered for or granted parole or otherwise released until such time as he has served at least ten (10) calendar years of the sentence received for the third or subsequent such conviction.

(4) A person convicted for the third or subsequent time of one (1) or more of the offenses specified in subsection (c)(1) or (c)(2) of this section may receive prisoner performance sentence credits, good conduct sentence credits or any other sentence reduction credits for which he may be eligible. Provided, however, any sentence reduction credits received shall not operate to cause such person's sentence to expire or such person to be eligible for release earlier than the mandatory sentence required by subsection (c)(1), (c)(2) or (c)(3) of this section.

(5) Notwithstanding any other provision of Tennessee Code Annotated, Title 41, Chapters 3 or 18 to the contrary, no person serving a sentence for a third or subsequent conviction of one (1) of the offenses

specified in subsection (c)(1) or (c)(2) of this section shall be eligible for any program whereby he may be granted supervised or unsupervised release into the community.

(d) For purposes of this section, convictions for multiple offenses occurring as part of a single criminal episode shall constitute only one (1) offense.

SECTION 2. Tennessee Code Annotated, Section 40-2901, is amended by deleting from the fourth sentence the following language:

“burglary in the first degree if the defendant has a prior felony conviction,”

and substituting instead the following language:

a second or subsequent violation of Tennessee Code Annotated, Section 39-901, 39-902, 39-903, or 39-904,

SECTION 3. Any person who has committed a crime on or after July 1, 1981, shall be tried and sentenced under the provisions of this act. Any person who committed a crime prior to July 1, 1981, but whose trial occurs on or after July 1, 1981, shall be tried under the law as it was prior to July 1, 1981, and as to those defendants, the prior law shall remain in full force and effect.

SECTION 4. This act shall take effect July 1, 1981, the public welfare requiring it.

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by adding the following new provision at the end of subsection (a) of section 1:

Provided, however, that the court or Board of Paroles shall, as part of its decision to revoke probation or parole, make a written finding that the probationer or parolee has willfully or intentionally failed to make restitution.

Mr. Disspayne moved that the House concur in Senate Amendment No. 1, as amended, which motion prevailed by the following vote:

Ayes	86
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—86.

Representative voting no was: Spence—1.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 21—To amend Section 49-603, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 21 by adding the following language:

Provided, however, that the provisions of this act shall not apply where a referendum has been already authorized for the creation of a special school district prior to the effective date of this act.

Mr. Bivens moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 75

Senate Bill No. 75—To amend Sections 37-207 and 37-217, Code.

Mr. Clark (Davidson) moved that the motion to reconsider Senate Bill No. 75 be lifted from the table, which motion prevailed by the following vote:

Ayes	67
Noes	18
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Buck, Burnett, Carter, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Kelley, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Naifeh, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Shockley, Smith, Stallings, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Work and Yelton—67.

Representatives voting no were: Bell (Wilson), Brewer, Clark (Sumner), Cobb, DeBerry, Ellis, Gaia, Gill, Hudson, Jones, Kent, Kernell, Murphy (Shelby), Murray, Owen, Severance, Spence and Withers—18.

Representatives present and not voting were: Moore, Percy and Wood—3.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Mr. Clark (Davidson) moved that the House reconsider its action in passing Senate Bill No. 75 on third and final consideration, as amended, which motion prevailed.

Mr. Clark (Davidson) moved that the House reconsider its action in adopting Amendment No. 2, which motion prevailed.

Mr. Clark (Davidson) moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	50
Noes	23
Present and not voting	14

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bragg, Buck, Burnett, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Duer, Duncan, Frensley, Gaia, Henry (Roane), Hurley, Huskey, Jared, Johnson, Kelley, King (Washington), Lashlee, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Murray, Naifeh, Phillips, Pickering, Richardson, Robinson (Davidson), Robinson (Washington), Shirley, Stallings, Tanner, Wallace, Webb, Wix, Wood and Work—50.

Representatives voting no were: Bell (Knox), Brewer, Cobb, DeBerry, Ellis, Gill, Harrill, Hudson, Jones, Kent, Kernell, Love, Martin, Moore, Murphy (Davidson), Murphy (Shelby), Scruggs, Severance, Spence, Sterling, Ussery, Withers—23.

Representatives present and not voting were: Bivens, Byrd, Ford, Henry (Blount), Percy, Rhinehart, Robinson (Hamilton), Shockley, Smith, Turner, Wheeler, Whitson, Wolfe and Yelton—14.

Thereupon, Senate Bill No. 75 passed its third and final consideration by the following vote:

Ayes	73
Noes	16
Present and not voting	5

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Whitson, Wix, Wolfe, Work and Mr. Speaker McWherter—73.

Representatives voting no were: Brewer, Cobb, DeBerry, Ellis, Ford, Gill, Jones, Kent, Kernell, Martin, Murphy (Shelby), Scruggs, Smith, Spence, Wheeler and Withers—16.

Representatives present and not voting were: Moore, Sterling, Ussery, Wood and Yelton—5.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 219—To make certain provisions, Housing Rehabilitation Corp.

SENATE AMENDMENT NO. 2

Amend House Bill No. 219 by deleting Section 1 in its entirety and substituting in lieu thereof the following:

Section 1. (a) During the interim period between the effective date of this act and July 1, 1982, the ex officio members of the Board of Directors of Tennessee Housing Rehabilitation Corporation shall undertake such activities as shall be necessary to conclude the affairs of the corporation as it is currently constituted in Title 13, Chapter 22, Tennessee Code Annotated.

(b) The ex officio members of the Board shall attempt to negotiate and conclude the transfer and sale of all commitments and obligations outstanding. Such transfer and sale of commitments and obligations shall be in accordance with a plan developed by the Board and approved by the Board of Standards. No right duties or obligation of any evidence of indebtedness transferred or sold pursuant to this plan shall be abrogated, altered or extinguished. All funds of the Corporation shall be held by the Treasurer for the benefit of the Corporation pending the results of the study provided in subsection (c) below.

(c) A joint subcommittee composed of the officers of the Government Operations Committee of the Senate and the House of Representatives and the Chairman and Vice-Chairman of the State and Local Government Committees of the Senate and House of Representatives shall undertake a study which will include but not be limited to the following areas of consideration:

- a) the need for a meaningful program on the state level for a housing rehabilitation and neighborhood revitalization program
- b) means through which such a program, if needed, could effectively achieve the objectives of housing rehabilitation and neighborhood revitalization.
- c) specific legislative proposals to enact a viable and effective program of housing rehabilitation and neighborhood revitalization.

In conducting this study, the joint subcommittee is encouraged to utilize, to whatever extent practicable, representatives of the mortgage banking industry, the housing industry, local governments and others who may have a direct interest in this area. The Tennessee Housing Development Authority is hereby directed to supply to the joint subcommittee whatever statistical or other information is deemed necessary by the joint subcommittee in conducting its study. The joint subcommittee shall report its findings together with any proposed legislation to the full committees on or before January 31, 1982.

and further amend by deleting Sections 2 and 3 in their entirety and appropriately renumbering the remaining sections.

and further amend by deleting the language "Section 1" in the last line of Section 4 and substituting in lieu thereof the following:

Section 1 (b)

Mr. Kernell moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF AMENDED BILL

House Bill No. 557—To make certain provisions, liens on boats.

Mr. Rhinehart moved that the House reconsider its action in non-concurring in Senate Amendments Nos. 1, 3 and 4 to House Bill No. 557, which motion prevailed.

Mr. Jared moved that the House concur in Senate Amendment No. 1, 3 and 4, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

Representative present and not voting was: Spence—1.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 558

Senate Bill No. 558—To regulate proceedings, Alcoholic Beverage Commission.

Mr. Kernell moved that the motion to reconsider Senate Bill No. 558 be lifted from the table, which motion prevailed.

Mr. Kernell moved that the House reconsider its action in passing Senate Bill No. 558 on third and final consideration, as amended, which motion prevailed.

Mr. Kernell moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Mr. Kernell moved that Amendment No. 1 be tabled, which motion prevailed.

Thereupon, Senate Bill No. 558, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 948

Senate Bill No. 948—To increase expense allowance, general assembly system.

Mr. Ford moved that the motion to reconsider Senate Bill No. 948 be lifted from the table, which motion prevailed by the following vote:

Ayes	57
Noes	21
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Burnett, Carter, Chiles, Clark (Sumner), Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), Lashlee, Lowe, McNally, Martin, Montgomery, Moore, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stallings, Starnes, Sterling, Tanner, Wallace, Webb, Whitson, Wolfe, Wood and Work—57.

Representatives voting no were: Bell (Wilson), DeBerry, Dills, Ellis, Gaia, Johnson, Jones, Kernell, King (Shelby), Love, McKinney, Miller, Murphy (Shelby), Murray, Phillips, Pruitt, Robinson (Davidson), Robinson (Hamilton), Shirley, Spence and Withers—21.

Representatives present and not voting were: Brewer, Clark (Davidson) and Wix—3.

Mr. Ford moved that the House reconsider its action in passing Senate Bill No. 948 on third and final consideration, as amended, which motion prevailed by the following vote:

Ayes	62
Noes	23

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Kelley,

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Kent, King (Washington), Lashlee, McAfee, McNally, Martin, Montgomery, Moore, Naifeh, Owen, Percy, Rhinehart, Richardson, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Wolfe, Wood and Work—62.

Representatives voting no were: Bell (Wilson), Brewer, Davidson, DeBerry, Dills, Ellis, Gaia, Gill, Jones, Kernell, King (Shelby), Love, Lowe, McKinney, Murphy (Shelby), Murray, Phillips, Pruitt, Robinson (Davidson), Robinson (Hamilton), Shirley, Spence and Withers—23.

Mr. Ford moved that the House reconsider its action in adopting Amendment No. 1.

Mr. McKinney moved that Senate Bill No. 948 be re-referred to the Committee on Finance, Ways and Means.

Mr. Ford moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	60
Noes	25
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davis (Gibson), Davis (Hamilton), Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Lashlee, McAfee, McNally, Montgomery, Moore, Murray, Naifeh, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stallings, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Wolfe, Wood and Yelton—60.

Representatives voting no were: Bell (Wilson), Brewer, DeBerry, Dills, Disspayne, Gaia, Jones, Kernell, King (Shelby), Love, Lowe, McKinney, Miller, Murphy (Shelby), Owen, Phillips, Pickering, Pruitt, Robinson (Hamilton), Shirley, Small, Spence, Wheeler, Withers and Work—25.

Representative present and not voting was: Bragg—1.

Mr. Ford moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Ford moved that Amendment No. 1 be tabled, which motion prevailed.

Thereupon, Senate Bill No. 948, passed its third and final consideration by the following vote:

Ayes	81
Noes	13

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Disspayne, Duer, Duncan, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Washington), Scruggs, Severance,

Shockley, Small, Smith, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—81.

Representatives voting no were: Brewer, DeBerry, Ellis, Jones, Love, McKinney, Murphy (Shelby), Pruitt, Robinson (Davidson), Robinson (Hamilton), Shirley, Spence and Withers—13.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 981—To regulate keeping of certain animals.

SENATE AMENDMENT NO. 1

Amend House Bill No. 981 by adding the words and punctuation “Except in regard to violations involving cockfighting,” at the beginning of the amendatory language of subsection (b) of Section 1.

AND FURTHER AMEND by adding the following sentence to the end of the amendatory language of subsection (b) of Section 1:

Any person violating the provisions of subsection (a), items (1), (2) and (3), of this act in regard to cockfighting, shall be guilty of a misdemeanor and upon conviction shall be punished as provided in subsection (c) of this act.

FURTHER AMEND by adding the following new subsection to the amendatory language of Section 1:

(d) It is the legislative intent that the provisions of this act shall not apply to the training or use of hunting dogs for sport nor shall it apply to the training or use of dogs for law enforcement purposes.

Mr. Kent moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1036—To regulate board of polygraph examiners.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1036 by deleting subsection 62-2704(b) from the amendatory language of Section 1 and by substituting in lieu thereof the following:

(b) Board members shall not receive any salary for their services but shall receive reimbursement for travel expenses in accordance with the provisions of the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter.

SENATE AMENDMENT NO. 3

Amend House Bill No. 1036 by deleting the second sentence of subsection 62-2704(a) of the amendatory language of Section 1 and by substituting in lieu thereof the following sentences:

Such board shall be composed of five (5) members, who shall be appointed by the governor for terms of four (4) years, Three (3) of such members shall be licensed polygraph examiners and two (2) of such members shall be persons who have never administered polygraph or other examinations utilizing instrumentation for the purpose of detecting deception or verifying truth of statements.

SENATE AMENDMENT NO. 4

Amend House Bill No. 1036 by inserting the following language as a new section immediately preceding the final section and by appropriately renumbering such final section:

SECTION— Tennessee Code Annotated, Section 62-2706, is amended by deleting the last sentence of such section in its entirety and substituting instead the following:

The board shall issue a polygraph examiner's license to any law-enforcement officer or employee employed by any city or county within Tennessee or by the state of Tennessee or by the federal government within Tennessee who has conducted polygraph examinations as a part of or in the course of such employment for at least two (2) years prior to July 1, 1981, who meets the requirements of subdivisions (1) through (4) of Tennessee Code Annotated, Section 62-2707, who applies within ninety (90) days of the passage of this act and who pays the proper fee as specified in Tennessee Code Annotated, Section 62-2713. No records obtained by law-enforcement officers or employees during official polygraph examinations shall be subject to disclosure under the provisions of this chapter.

SENATE AMENDMENT NO. 5

Amend House Bill No. 1036 by inserting the following language as a new section immediately preceding the final section and by appropriately renumbering such final section:

SECTION— (a) Tennessee Code Annotated, Section 62-2713(b), is amended by deleting the words, symbols, and figures "one hundred fifty dollars (\$150)" and by substituting in lieu thereof the following:

"two hundred fifty dollars (\$250)".

(b) Tennessee Code Annotated, Section 62-2713(e), is amended by deleting the words, symbols, and figures "one hundred dollars (\$100)" and by substituting in lieu thereof the following:

“two hundred fifty dollars (\$250)”.

Mr. Miller moved that the House concur in Senate Amendments Nos. 2, 3, 4 and 5, which motion prevailed by the following vote:

Ayes	92
Noes	1

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

Representative voting no was: Spence—1.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1086—To amend Section 55-6-104, Code.

SENATE AMENDMENT NO. 6

Amend House Bill No. 1086 by adding a new section to read as follows:

“The provisions of this act shall not apply to counties with a population greater than 600,000”.

SENATE AMENDMENT NO. 9

Amend House Bill No. 1086 by deleting the amendatory language of Section 1 in its entirety and substituting instead the following:

“ninety-nine cents (99¢)”

Mr. Robinson (Washington) moved that the House non-concur in Senate Amendments Nos. 6 and 9, which motion prevailed.

Mr. Hudson asked to be recorded as voting “no” on the above motion.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1113—To enact the County Correctional Incentives Act.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1113 by adding the following sentence at the end of the paragraph (a) of Section 5:

Additionally, any county which had contracted for the construction of a new correctional facility after January 1, 1981 but prior to the effective date of this act and which

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

had not arranged permanent financing for such construction prior to the effective date of this act, is authorized to submit a plan.

SENATE AMENDMENT NO. 3

Amend House Bill No. 1113 by deleting the word and figures "January 15, 1981" contained in Section 6(a) (1), and substituting instead the word and figures "September 1, 1981."

Mr. Miller moved that the House concur in Senate Amendments Nos. 1 and 3, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 157—Relative to study, alcoholic beverage commission; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

583—To amend Title 20, Chapter 4, Code;

584—To amend Title 30, Chapter 11, Code;

983—To consolidate various existing litigation taxes; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

510—To make certain provisions, T.B.I.; substituted for Senate Bill on same subject,

amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.

607—To amend Title 8, Chapters 34 thru 37, Code; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Robertson moved that the rules be suspended for the purpose of considering House Bill No. 1003 out of order.

Mr. Lashlee moved the previous question, on the motion which motion prevailed by the following vote:

Ayes	71
Noes	19
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Buck, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Disspayne, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Lowe, McAfee, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe, Wood and Yelton—71.

Representatives voting no were: Bell (Knox), Byrd, Davidson, DeBerry, Dills, Ellis, Jones, Kernell, King (Shelby), Lashlee, McKinney, Murphy (Shelby), Owen, Phillips, Pruitt, Shirley, Spence, Withers and Work—19.

Representatives present and not voting were: Bragg, Brewer and Love—3.

Thereupon, the motion to suspend the rules to consider House Bill No. 1003 failed by the following vote:

Ayes	62
Noes	26
Present and not voting	4

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Buck, Burnett, Carter, Chiles, Clark (Sumner), Cobb, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Washington), Lowe, McAfee, McNally, Martin, Montgomery, Moore, Murray, Naifeh, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stallings, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe, Wood and Yelton—62.

Representatives voting no were: Bell (Wilson), Clark (Davidson), Covington, David-

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

son, DeBerry, Dills, Disspayne, Ellis, Gaia, Gill, Jones, Kernell, (King Shelby), Lashlee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Owen, Phillips, Pruitt, Shirley, Spence, Turner, Withers and Work—26.

Representatives present and not voting were: Bragg, Brewer, Love and Starnes—4.

STANDING COMMITTEE REPORT

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 778 (with amendment) and 779 (with amendment).

BRAGG, Chairman.

Under the rules, House Bills Nos. 778 and 779 were transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following additional bills on the Calendar for Thursday, May 21, 1981: House Bills Nos. 778 and 779, and Senate Bill No. 151.

GILL, Chairman.

CALENDAR

Mr. Brewer moved that House Bill No. 1151 be placed on the Calendar for Monday, May 25, 1981, which motion prevailed.

House Bill No. 1021—To amend Governmental Tort Liability Act.

On motion, House Bill No. 1021 was made to conform with Senate Bill No. 1044.

On motion, Senate Bill No. 1044, on same subject, was substituted for House Bill No. 1021.

Mr. Akard moved that Senate Bill No. 1044 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Representative voting no was: Buck—1.

A motion to reconsider was tabled.

House Bill No. 994—To amend Real Estate Broker License Act.

On motion, House Bill No. 994 was made to conform with Senate Bill No. 1101.

On motion, Senate Bill No. 1101, on same subject, was substituted for House Bill No. 994.

Mr. Davis (Hamilton) moved that Senate Bill No. 1101 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	1
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—99.

Representative voting no was: Crain—1.

Representatives present and not voting were: Buck and Wix—2.

A motion to reconsider was tabled.

Mr. Davis (Hamilton) moved that House Bill No. 839 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Moore moved that House Bill No. 23 be placed on the Calendar for January, 1982 which motion prevailed.

House Bill No. 812—To amend Financial Responsibility Law of 1977

Mr. Wheeler moved that House Bill No. 812 be passed on third and final consideration.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 812 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 55-12-107 is amended by deleting subsection (a) in its entirety, and substituting in lieu thereof the following:

- (a) No policy or bond shall be effective under Section 55-12-106 unless issued

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

by an insurance company or surety company licensed to do business in the state, except as provided in subsection (b) of this section, or unless such policy or bond is subject to the following limits for the following coverage:

(1) if the accident has resulted in bodily injury or death of one (1) person, to minimum coverage, exclusive of interest and cost, of:

(A) not less than fifteen thousand dollars (\$15,000.00) from July 1, 1981, to June 30, 1983;

(B) not less than twenty thousand dollars (\$20,000.00) from July 1, 1983 to June 30, 1985; and

(C) not less than twenty-five thousand dollars (\$25,000.00) after July 1, 1985.

(2) If the accident has resulted in bodily injury or death of two (2) or more persons in any one accident, to minimum coverage, exclusive of interest or cost, of:

(A) not less than thirty thousand dollars (\$30,000.00) from July 1, 1981 to June 30, 1983;

(B) not less than forty thousand dollars (\$40,000.00) from July 1, 1983 to June 30, 1985; and

(C) not less than fifty thousand dollars (\$50,000.00) after July 1, 1985.

(3) If the accident has resulted in injury to, or destruction of property, to minimum coverage, exclusive of interest or cost, of:

(A) not less than ten thousand dollars (\$10,000.00) from July 1, 1981 to June 30, 1983;

(B) not less than fifteen thousand dollars (\$15,000.00) from July 1, 1983 to June 30, 1985; and

(C) not less than twenty thousand dollars (\$20,000.00) after July 1, 1985.

AND FURTHER AMEND by deleting Section 3 in its entirety and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 55-12-110 is amended by deleting subsection (b) in its entirety, and substituting in lieu thereof the following:

(b)

(1) In no case shall security in an amount

(A) For property damage:

(i) Ten thousand dollars (\$10,000.00) from July 1, 1981 to June 30, 1983;

(ii) Fifteen thousand dollars (\$15,000.00) from July 1, 1983 to June 30, 1985; and

(iii) Twenty thousand dollars (\$20,000.00) after July 1, 1985.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

(B) For one (1) injury or death:

(i) Fifteen thousand dollars (\$15,000.00) from July 1, 1981 to June 30, 1983;

(ii) Twenty thousand dollars (\$20,000.00) from July 1, 1983 to June 30, 1985; and

(iii) Twenty-five thousand dollars (\$25,000.00) after July 1, 1985.

(C) For all injuries or deaths resulting from any one accident:

(i) Thirty thousand dollars (\$30,000.00) from July 1, 1981 to June 30, 1983;

(ii) Forty thousand dollars (\$40,000.00) from July 1, 1983 to June 30, 1985; and

(iii) Fifty thousand dollars (\$50,000.00) after July 1, 1985.

(2) In no event shall security be in an amount of less than five hundred dollars (\$500.00).

Mr. Disspayne moved that House Bill No. 812 be placed at heel of today's Calendar, which motion prevailed.

Mr. Yelton moved that House Bill No. 128 be placed on the Calendar for 1982, which motion prevailed.

Senate Bill No. 858—To regulate salaries, District Attorneys General.

On motion, Amendment No. 1 was withdrawn.

Mr. Rhinehart moved that Senate Bill No. 858 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	7
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—88.

Representatives voting no were: Chiles, Crain, DeBerry, King (Shelby), McAfee, Small and Spence—7.

Representative present and not voting was: Bewley—1.

A motion to reconsider was tabled.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Mr. Burnett moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 151 out of order, which motion failed by the following vote:

Ayes	43
Noes	43
Present and not voting	6

Representatives voting aye were: Baker, Bell (Knox), Bewley, Brewer, Chiles, Clark (Sumner), DeBerry, DePriest, Dills, Duer, Ford, Frensley, Gaia, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), McNally, Martin, Montgomery, Murphy (Davidson), Murray, Owen, Percy, Phillips, Pickering, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Turner, Wheeler, Wix and Work—43.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Buck, Byrd, Carter, Clark (Davidson), Cobb, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Disspayne, Duncan, Ellis, Gill, Henry (Blount), Henry (Roane), Hillis, Kent, Lashlee, Love, Lowe, McAfee, McKinney, Miller, Moore, Murphy (Shelby), Naifeh, Rhinehart, Severance, Shirley, Smith, Spence, Stallings, Sterling, Tanner, Wallace, Webb, Whitson, Withers, Wolfe and Wood—43.

Representatives present and not voting were: Bragg, Burnett, Covington, Starnes, Yelton and Mr. Speaker McWherter—6.

Mr. Burnett moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 152 out of order, which motion failed by the following vote:

Ayes	48
Noes	36
Present and not voting	2

Representatives voting aye were: Bell (Knox), Bell (Wilson), Bewley, Brewer, Byrd, Chiles, Clark (Sumner), Covington, DeBerry, Dills, Disspayne, Duer, Ford, Gaia, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kernell, King (Shelby), King (Washington), McKinney, McNally, Martin, Montgomery, Murphy (Shelby), Murray, Owen, Percy, Phillips, Pickering, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Starnes, Sterling, Turner, Ussery, Wheeler, Withers and Wix—48.

Representatives voting no were: Akard, Baker, Bivens, Buck, Carter, Clark (Davidson), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Duncan, Ellis, Frensley, Gill, Henry (Blount), Kelley, Kent, Lashlee, Love, Lowe, McAfee, Miller, Moore, Naifeh, Rhinehart, Severance, Smith, Spence, Stallings, Tanner, Wallace, Webb, Whitson, Wolfe, Wood and Work—36.

Representatives present and not voting were: Bragg, Burnett and Mr. Speaker McWherter—3.

Mr. Robinson (Hamilton) moved that the rules be suspended for the purpose of considering House Bill No. 1365 out of order, which motion prevailed.

On motion, House Bill No. 1365 was recalled from the Committee on Calender and Rules.

House Bill No. 1365—To amend Chapter 557, Private Acts, 1939.

Mr. Robinson (Hamilton) moved that House Bill No. 1365 be passed on third and final consideration;

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1365 by deleting from item 1 of subsection (b) of Section 22 in the amendatory language of Section 3 the words and figures “being assumed to be a rate of \$3,600.00 annually” and substituting instead the words and figures “being the actual salary for such service with a maximum of \$3,600.00 annually”.

AND FURTHER AMEND by deleting from item 2 of subsection (b) of Section 22 in the amendatory language of Section 3 the words “member of Quarterly County Court, delegate to any constitutional convention,”

AND FURTHER AMEND by deleting item 7 of subsection (b) of Section 22 in the amendatory language of Section 3 and substituting instead the following new item 7:

7. Upon retirement, a participant shall receive an annual normal retirement benefit of two hundred forty dollars (\$240.00) multiplied by the number of years of creditable service and such benefit shall be paid in equal monthly installments payable for the life of the member.

AND FURTHER AMEND by deleting in Section 21 of the amendatory language of Section 2 the words “military service upon” and substituting instead the words “up to four (4) years of military service during a period of armed conflict, as determined by the pension commission, upon”

AND FURTHER AMEND by deleting from subsection (b)(2) of Section 22 in the amendatory language of Section 3 the words “or any service in the military of the United States shall be allowed as credited service” and substituting instead the following:

“shall be allowed as credited service. Any member may also receive credit for up to four (4) years of military service during a period of armed conflict, as determined by the pension commission, upon payment of the contributions at the same rate as required for the purchase of other prior service.”

On motion, the amendment was adopted.

Thereupon, House Bill No. 1365, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Dispayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Mr. McKinney moved that House Bill No. 1014 be placed on the Calendar for Monday, May, 25, 1981, which motion prevailed.

On motion, Senate Bill No. 31 was recalled from the Committee on State and Local Government.

House Bill No. 811—To amend Contractors Licensing Act of 1976.

On motion, House Bill No. 811 was made to conform with Senate Bill No. 31.

On motion, Senate Bill No. 31, on same subject, was substituted for House Bill No. 811.

Mr. Wheeler moved that Senate Bill No. 31 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 31 by adding the following new language at the end of the amendatory language of Section 1:

Provided, however, that such financial statements shall only be required for an original application for a license and shall not be required for license renewals.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Tennessee Code Annotated, Section 62-612 is further amended by adding the following new subsection:

() The board shall transfer, upon application and payment of a fee of ten dollars (\$10), by any proprietorship or partnership which subsequently incorporates as a Tennessee corporation, the license formerly held by such proprietorship or partnership to such corporation upon a showing that:

(1) The officers or directors or management of the corporation were the owners or managers of the proprietorship or partnership;

(2) A copy of the corporation's charter has been filed with the board; and

(3) The partnership or proprietorship is currently in good standing with the board. The board shall develop an application for such transfer of license which shall not exceed one (1) page in length.

On motion, the amendment was adopted.

Mr. Hudson moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 31 by deleting the language which reads as follows:

(3) The partnership or proprietorship is currently in good standing with the board and substituting instead the following:

(3) The partnership or proprietorship is currently in good standing with the board;

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

(4) The corporation has assets equal to or greater than the assets of the proprietorship or partnership, and as evidenced by sworn statements of the applicant; and

(5) All liabilities of the proprietorship or partnership were satisfied prior to incorporation or will be satisfied by the corporation.

AND FURTHER AMEND by deleting the language which reads as follows:

The board shall develop an application for such transfer of license which shall not exceed one (1) page in length.

and substituting instead the following:

The board shall develop an application for such transfer of license which shall not exceed one (1) page in length. The corporation shall record the transfer certificate in the same manner as provided in Tennessee Code Annotated, Section 62-613, for original certificates.

On motion, the amendment was adopted.

Mr. Hudson moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 31 by adding the following new section:

SECTION—. Tennessee Code Annotated, Section 62-612, is amended by adding the following subsection:

() Upon application of any individual who was formerly a general partner in a dissolved partnership, the board shall transfer to such individual the license formerly held by the partnership upon a showing that:

(1) The individual was a general partner in a dissolved partnership; and

(2) The individual has assets equal to or greater than the assets of the partnership as evidenced by sworn statements of the applicant; and

(3) All liabilities of the partnership were satisfied prior to dissolution or will be satisfied by the individual. The board for transferring such license shall collect a fee of ten dollars (\$10.00). The individual shall record the transfer certificate in the same manner as provided in Tennessee Code Annotated, Section 62-613, for original certificates.

On motion, the amendment was adopted.

Mr. King (Washington) moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 31 by inserting the following language as two (2) new sections immediately preceding the final section and by renumbering such final section:

SECTION—. Tennessee Code Annotated, Section 62-602, is amended by deleting the words, symbols, and figures "fifty thousand dollars (\$50,000)" wherever such words, symbols, and figures appear and by substituting in lieu thereof the following:

"five thousand dollars (\$5,000)".

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

SECTION— Tennessee Code Annotated, Section 62-612, is amended by deleting from subsections (a), (c), and (d) the words, symbols, and figures “fifty thousand dollars (\$50,000)” wherever such words, symbols, and figures appear and substituting in lieu thereof the following:

“five thousand dollars (\$5,000)”.

Mr. Wheeler moved that the Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes	71
Noes	9
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Duncan, Ellis, Ford, Frensley, Gill, Henry (Blount), Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Percy, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Severance, Shockley, Small, Spence, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—71.

Representatives voting no were: Chiles, Harrill, Henry (Roane), Hillis, King (Washington), Robinson (Washington), Scruggs, Turner and Whitson—9.

Representative present and not voting was: Dills—1.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 31 by adding the following to the end of the amendatory language of Section 1:

The provisions of this act shall not apply to any general contractor heretofore licensed to do business in this state on the effective date of this act.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 31, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery,

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

Representative voting no was: King (Washington)—1.

A motion to reconsider was tabled.

Mr. Bragg moved that House Bill No. 1322 be placed on the Calendar for Monday, May 25, 1981, which motion prevailed.

House Bill No. 1340—To amend Chapter 55, Private Act, 1951.

Mr. Bragg moved that House Bill No. 1340 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	56
Noes	22
Present and not voting	12

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Davidson, Davis (Hamilton), Davis (Pickett), DePriest, Disspayne, Duer, Duncan, Ellis, Frensley, Gill, Harrill, Henry (Roane), Hillis, Hurley, Kelley, Kernell, King (Washington), Love, Lowe, McKinney, McNally, Montgomery, Murphy (Davidson), Murray, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Shockley, Small, Starnes, Turner, Webb, Wheeler, Whitson, Wolfe, Wood, Work and Yelton—56.

Representatives voting no were: Bell (Wilson), Clark (Sumner), Covington, Davis (Gibson), DeBerry, Dills, Gaia, Jared, Johnson, Kent, Lashlee, McAfee, Murphy (Shelby), Naifeh, Scruggs, Severance, Spence, Stallings, Tanner, Ussery, Wallace and Withers—22.

Representatives present and not voting were: Crain, Ford, Henry (Blount), Hudson, Huskey, Miller, Moore, Owen, Robertson, Smith, Sterling and Wix—12.

A motion to reconsider was tabled.

EXPLANATION OF VOTE

Mr. Speaker:

Our vote against House Bill No. 1340 is an attempt to circumvent the general law of the State of Tennessee and has also circumvented the standing committee system.

**SPECIAL SUBCOMMITTEE OF HOUSE
STATE AND LOCAL GOVERNMENT**

Rep. John Tanner, Chairman

Rep. Jimmy Naifeh

Rep. Brad Martin

Rep. Ray Clark

Rep. Bill Covington

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

House Bill No. 1342—To revise boundaries, Huntingdon Special School District.

Mr. Kelley moved that House Bill No. 1342 be passed on third and final consideration.

Mr. Kelley moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1342 by deleting Section 2 in its entirety and substituting instead the following:

SECTION 2. Section 1 of Chapter 286 of the Private Acts of 1957, is amended by deleting the following language:

Also included in the foregoing description and to be excluded from the boundaries of said Special School District is a parcel of land in the Twenty-Third Civil District of Carroll County, Tennessee, owned by the Carroll County Board of Education on which is located Cannon's School and is bounded and described as follows:

Lying and being situated in the 23rd Civil District of Carroll County, Tennessee, bounded and described as follows:

Beginning at a stake in the south margin of the Browning Highway, the same being the northeast corner of the present Cannon School Campus, runs thence south 60 degrees west 290 feet to a stake in the north line of the McCadems land; thence south 86 degrees 30 minutes east 329 feet to a stake with hickory pointers; thence north 67 degrees 30 minutes east 400 feet to a stake 10 feet from the line of Garvin Barnhart; thence in a northern direction parallel to Garvin Barnhart line and 465 feet to a stake in the south margin of the right-of-way of said highway, the same being 10 feet west of the Garvin Barnhart line; thence with said highway south 65 degrees west 554 feet to the point of beginning and containing 6 acres, be the same, more or less. Recorded in Deed Book No. 109, page 286.

SECTION 3. This act shall take effect thirty (30) days after a vote is held in the first, fifth, sixth, seventh, eighth, and twentieth civil districts of Carroll County on the provisions of Chapter 109 of the Private Acts of 1981, but only if a majority of the votes cast in such election in the area outside the boundaries of the Atwood and Trezavant Special School Districts are against the provisions of Chapter 109 (Senate Bill 1314/House Bill 1297) becoming operational, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1342, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount),

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

Representative present and not voting was: Spence—1.

A motion to reconsider was tabled.

Mr. McKinney moved that House Bills Nos. 858, 859, 860, 1015 and 1016 be placed on the Calendar for Tuesday, May 26, 1981, which motion prevailed.

House Bill No. 222—To appropriate funds, Meharry Medical College Dental program.

On motion, House Bill No. 222 was made to conform with Senate Bill No. 130.

On motion, Senate Bill No. 130, on same subject, was substituted for House Bill No. 222.

Mr. Brewer moved that Senate Bill No. 130 be passed on third and final consideration.

Mr. Lashlee moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 130 in Section 1 by deleting in its entirety subsection (e) and by substituting instead the following:

(e) This act does not constitute an appropriation of funds. No funds shall be expended under the provisions of this act unless such funds are specifically appropriated in the General Appropriations Bill pursuant to Tennessee Code Annotated, Title 9, Chapter 6, Part 1, or a specific amendment or supplement thereto.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 130, as amended, passed its third and final consideration by the following vote:

Ayes	60
Noes	29
Present and not voting	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duncan, Ellis, Gaia, Gill, Hillis, Hurley, Jared, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, McKinney, McNally, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Owen, Percy, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Shirley, Spence, Stallings, Starnes, Sterling, Turner, Wheeler, Whitson, Withers, Wolfe, Work, Yelton and Mr. Speaker McWherter—60.

Representatives voting no were: Chiles, Clark (Sumner), Davis (Gibson), Dills, Duer, Ford, Frensley, Harrill, Henry (Roane), Hudson, Huskey, Johnson, King (Washington), Lowe, McAfee, Montgomery, Murray, Naifeh, Richardson, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Tanner, Ussery, Webb and Wood—29.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Representatives present and not voting were: Henry (Blount), Pickering, Wallace and Wix—4.

A motion to reconsider was tabled.

Mr. Bragg moved that Senate Bill No. 1061 be placed on the Calendar for Monday, May 25, 1981, which motion prevailed by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Percy, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—87.

Mr. Withers moved that House Bill No. 916 be placed on the Calendar for January, 1982, which motion prevailed.

Mr. Cobb moved that Rule No. 76 be suspended to recall House Bill No. 1372 from the Committee on Finance, Ways and Means for consideration by the House, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

Mr. Cobb moved that House Bill No. 1372 be placed on the Calendar for Tuesday, May 26, 1981, which motion prevailed.

Senate Bill No. 151—To appropriate funds, prisoner work program.

Ms. DeBerry moved that Senate Bill No. 151 be passed on third and final consideration.

Mr. Lashlee moved that Senate Bill No. 151 be re-referred to the Committee on Judiciary.

Ms. DeBerry moved that the motion be tabled, which motion prevailed by the following vote:

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Ayes	47
Noes	39
Present and not voting	3

Representatives voting aye were: Bell (Knox), Bewley, Bragg, Brewer, Burnett, Chiles, Clark (Sumner), Cobb, Covington, Davidson, Davis (Hamilton), DeBerry, Duer, Ellis, Frensley, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Jared, Kernell, King (Shelby), Love, McKinney, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Owen, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Smith, Spence, Sterling, Tanner, Ussery, Wheeler, Withers, Wood and Mr. Speaker McWherter—47.

Representatives voting no were: Akard, Baker, Bivens, Buck, Carter, Clark (Davidson), Crain, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Duncan, Ford, Harrill, Hurley, Huskey, Johnson, Kelley, Kent, King (Washington), Lashlee, Lowe, McAfee, Murray, Naifeh, Pickering Richardson, Robinson (Washington), Scruggs, Small, Stallings, Turner, Wallace, Webb, Whitson, Wolfe, Work and Yelton—39.

Representatives present and not voting were: Moore, Percy and Wix—3.

Mr. Clark (Davidson) moved the previous question, which motion prevailed by the following vote:

Ayes	65
Noes	23
Present and not voting	4

Representatives voting aye were: Akard, Bewley, Bragg, Brewer, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Hamilton), DeBerry, Dills, Disspayne, Duer, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Kent, Kernell, King (Shelby), Love, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Shockley, Small, Smith, Spence, Starnes, Sterling, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wolfe, Wood and Work—65.

Representatives voting no were: Baker, Bell (Knox), Bivens, Buck, Carter, Crain, Davis (Gibson), Davis (Pickett), Duncan, Ford, Huskey, Johnson, Kelley, King (Washington), Lashlee, Lowe, Murray, Pickering, Scruggs, Stallings, Tanner, Wallace and Yelton—23.

Representatives present and not voting were: DePriest, Moore, Wix and Mr. Speaker McWherter—4.

Thereupon, Senate Bill No. 151, passed its third and final consideration by the following vote:

Ayes	55
Noes	31
Present and not voting	5

Representatives voting aye were: Bell (Knox), Bewley, Bivens, Bragg, Brewer, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, Disspayne, Duer, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Jared, Kent, Kernell, King (Shelby), Love, McAfee, McKinney, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Owen, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Shockley, Smith, Spence, Starnes, Sterling, Ussery, Wheeler, Withers, Wood and Work—55.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Representatives voting no were: Akard, Baker, Buck, Charter, Crain, Davis (Gibson), Dills, Duncan, Ford, Hurley, Huskey, Johnson, Kelley, King (Washington), Lashlee, Lowe, McNally, Murray, Naifeh, Pickering, Richardson, Robinson (Washington), Severance, Small, Stallings, Tanner, Turner, Wallace, Whitson, Wolfe and Yelton—31.

Representatives present and not voting were: DePriest, Henry (Blount), Moore, Webb and Wix—5.

FURTHER CONSIDERATION OF HOUSE BILL NO. 812

House Bill No. 812—To amend Financial Responsibility Law of 1976.

Mr. Ellis moved that the Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes	27
Noes	56
Present and not voting	4

Representatives voting aye were: Bell (Wilson), Bewley, Chiles, Covington, Davis (Gibson), Ellis, Gaia, Gill, Henry (Blount), Hillis, Hurley, Kelley, Kent, Moore, Pickering, Pruitt, Richardson, Scruggs, Severance, Shirley, Smith, Stallings, Sterling, Ussery, Webb, Whitson and Work—27.

Representatives voting no were: Bell (Knox), Bivens, Bragg, Buck, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, Disspayne, Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hudson, Huskey, Jared, Johnson, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Shockley, Small, Spence, Starnes, Tanner, Turner, Wallace, Wheeler, Wix, Wolfe, Wood and Yelton—56.

Representatives present and not voting were: Akard, Carter, Dills and Love—4.

Mr. Owen moved the previous question on the amendment, which motion prevailed by the following vote:

Ayes	70
Noes	20
Present and not voting	1

Representatives voting aye were: Akard, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Jared, Johnson, Kelley, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Small, Spence, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wood, Work and Yelton—70.

Representatives voting no were: Bell (Knox), Bell (Wilson), Duncan, Ellis, Hillis, Hurley, Kent, McAfee, Moore, Pickering, Pruitt, Richardson, Scruggs, Severance, Shirley, Smith, Stallings, Ussery, Wix and Wolfe—20.

Representative present and not voting was: Carter—1.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Thereupon, Amendment No. 1 was adopted by the following vote:

Ayes	66
Noes	22
Present and not voting	3

Representatives voting aye were: Akard, Bell (Knox), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Duer, Duncan, Ford, Frensley, Gill, Henry (Roane), Hudson, Huskey, Jared, Johnson, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Small, Spence, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wood, Work and Yelton—66.

Representatives voting no were: Bell (Wilson), Davidson, Ellis, Gaia, Harrill, Hillis, Hurley, Kelley, Kent, Moore, Pickering, Pruitt, Richardson, Scruggs, Severance, Shirley, Shockley, Smith, Stallings, Ussery, Wix and Wolfe—22.

Representatives present and not voting were: Carter, Henry (Blount) and Love—3.

Mr. Wheeler moved the previous question, which motion failed by the following vote:

Ayes	33
Noes	47
Present and not voting	3

Representatives voting aye were: Akard, Buck, Burnett, Chiles, Cobb, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Gill, Hurley, Jared, Johnson, King (Washington), Lashlee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Owen, Phillips, Rhinehart, Robertson, Robinson (Hamilton), Shockley, Turner, Webb, Wheeler and Yelton—33.

Representatives voting no were: Bell (Knox), Bell (Wilson), Bewley, Bivens, Clark (Sumner), Copeland, Covington, Davidson, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Huskey, Kelley, Kent, Lowe, McAfee, Moore, Murphy (Shelby), Naifeh, Percy, Pruitt, Richardson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Spence, Stallings, Sterling, Tanner, Ussery, Wallace, Whitson, Wix, Wolfe and Wood—47.

Representatives present and not voting were: Bragg, Brewer and Kernell—3.

Mr. Moore moved that House Bill No. 812 be re-referred to the Committee on Commerce.

Mr. Wheeler moved that the motion be tabled, which motion failed by the following vote:

Ayes	34
Noes	53
Present and not voting	2

Representatives voting aye were: Akard, Bell (Knox), Brewer, Buck, Burnett, Clark (Davidson), Cobb, Covington, Crain, Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Duer, Ford, Hudson, Huskey, Jared, Johnson, Kernell, King (Washington), McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Robertson, Robinson (Davidson), Tanner, Wheeler and Yelton—34.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Representatives voting no were: Bell (Wilson), Bewley, Bivens, Bragg, Carter, Chiles, Clark (Sumner), Copeland, Davidson, Davis (Gibson), DePriest, Disspayne, Duncan, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hurley, Kelley, Kent, Lashlee, Lowe, McAfee, Moore, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Turner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe and Wood—53.

Representatives present and not voting were: Henry (Blount) and Love—2.

Thereupon, the motion to re-refer House Bill No. 812 to the Committee on Commerce prevailed by the following vote:

Ayes	47
Noes	36
Present and not voting	5

Representatives voting aye were: Bell (Wilson) Bewley, Bivens, Clark (Sumner), Copeland, Davidson, Davis (Gibson), DePriest, Disspayne, Duncan, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hurley, Kelley, Kent, Lashlee, Lowe, McAfee, Moore, Percy, Phillips, Pickering, Pruitt, Richardson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Turner, Ussery, Wallace, Webb, Whitson, Wix and Wolfe—47.

Representatives voting no were: Akard, Bell (Knox), Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davis (Hamilton), Davis (Pickett), DeBerry, Duer, Ford, Hudson, Huskey, Jared, Johnson, Kernell, King (Shelby), King (Washington), McNally, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Robertson, Robinson (Hamilton), Tanner, Wheeler, Wood and Yelton—36.

Representatives present and not voting were: Henry (Blount), Love, Rhinehart, Starnes and Work—5.

Senate Joint Resolution No. 75—Relative to study, Tennessee judicial system.

Mr. Murphy (Shelby) moved that Senate Joint Resolution No. 75 be concurred in.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Joint Resolution No. 75 by deleting the caption, preamble clauses, and resolving clauses in their entirety and substituting in lieu thereof the following caption, preamble clauses, and resolving clauses:

A RESOLUTION to create a joint committee to study the establishment of judicial circuits, judgeships, and the office of district attorney general and all assistants and related staff thereto on the basis of population.

WHEREAS, the positions of trial judge, district attorney general and assistant district attorney general are positions that logically lend themselves to creation and expansion based upon the population of the citizens they serve; and

WHEREAS, this state presently has no method of accurately determining how many judges and prosecutors are needed in a particular area or when and under what circumstances additional judges or prosecutors are needed to adequately serve the citizens of a judicial circuit; and

WHEREAS, this is an ideal, and perhaps the only, time for the General Assembly to closely examine judicial circuits and the number of judges, district attorneys and assistants in relation to population because the 1980 census figures are now available and these officials will be elected for new eight (8) years in August of 1982; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That a joint study committee be created to examine the existing judicial circuits, judges, district attorneys general, assistant district attorneys general and related staff and to formulate a method of basing such circuits and the number of such judicial officials on population figures using the 1980 census.

BE IT FURTHER RESOLVED, That such joint committee be composed to ten (10) members and such membership shall be comprised of five (5) Senators and five (5) Representatives to be appointed by the respective speakers. In making such appointments the speakers shall select a committee that is balanced both in terms of geographical areas and urban/rural representation.

BE IT FURTHER RESOLVED, That the joint committee be governed by the provisions of Tennessee Code Annotated, Title 3, Chapter 3, and shall have and may exercise all powers granted therein.

BE IT FURTHER RESOLVED, That the members of the joint committee shall receive the same allowances for expenses and mileage for attendance at meetings and hearings of the joint committee as those provided for in Tennessee Code Annotated, Section 3-1-106.

BE IT FURTHER RESOLVED, That the Office of Legal Services for the General Assembly and the staff for the Senate and House Judiciary Committee shall provide staff assistance for such joint committee and that the Office of Executive Secretary to the Supreme Court provide any technical assistance requested by the committee.

BE IT FURTHER RESOLVED, That the joint committee shall hold such meetings and hearings at such places as the committee decides upon to accomplish the study.

BE IT FURTHER RESOLVED, That the committee shall be convened by the member of the Senate having the most continuous years service in the General Assembly within thirty (30) days from the passage of this resolution for the purpose of determining a schedule of meetings, the scope and location of each such meeting and to elect committee officers.

BE IT FURTHER RESOLVED, That the joint committee shall report its findings, conclusions and recommendations, together with proposed legislation, if any, to the Ninety-Second General Assembly no later than January 1, 1982, at which time such committee shall cease to exist.

On motion, the amendment was adopted.

Thereupon, Senate Joint Resolution No. 75, as amended, was concurred in by the following vote:

Ayes	92
Noes	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill,

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

Representatives voting no were: Gaia, Phillips and Spence—3.

A motion to reconsider was tabled.

CONSENT CALENDAR

OBJECTIONS

Objections were filed to the following bills and resolutions on the Consent Calendar:

Mr. Tanner objected to House Bills Nos. 1348 and 1349.

Under the rules, House Bills Nos. 1348 and 1349 were placed at the foot of the Calendar for Monday, May 25, 1981.

Senate Joint Resolution No. 141—Relative to honoring Cleveland Bradley Chamber of Commerce.

Senate Joint Resolution No. 142—Relative to memory, Frank T. Manley.

House Resolution No. 59—Relative to study, portable jails.

House Joint Resolution No. 225—Relative to study, gasoline tax funds.

House Joint Resolution No. 227—Relative to honoring Ted Wilson.

House Joint Resolution No. 228—Relative to honoring John Newman.

House Joint Resolution No. 229—Relative to honoring Hal Miller.

House Bill No. 989—To authorize severance tax, Humphreys County.

House Bill No. 990—To levy privilege tax, lodging, Humphreys County.

On motion, House Bill No. 990 was made to conform with Senate Bill No. 1226.

On motion, Senate Bill No. 1226, on same subject, was substituted for House Bill No. 990.

House Bill No. 1347—To amend charter, Town of Bluff City.

On motion, House Bill No. 1347 was made to conform with Senate Bill No. 395.

On motion, Senate Bill No. 395, on same subject, was substituted for House Bill No. 1347.

House Bill No. 1355—To amend Charter, City of Manchester.

House Bill No. 1356—To amend Chapter 142 of Private Acts of 1953.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

On motion, House Bill No. 1356 was made to conform with Senate Bill No. 1359.

On motion, Senate Bill No. 1359, on same subject, was substituted for House Bill No. 1356.

House Bill No. 1357—To amend Charter, Town of Camden.

House Bill No. 1358—To amend Chapter 153 of the Private Acts of 1917.

House Bill No. 1359—To specify boundaries Bradford Special School District, Gibson County.

House Bill No. 1360—To adjust salary general sessions court clerk, Cocke County.

House Bill No. 1362—To amend Chapter 329 of Private Acts of 1970.

House Bill No. 1364—To provide for collection property taxes, Rutherford County.

House Bill No. 1366—To amend Chapter 292 of Private Acts of 1957.

On motion, House Bill No. 1366 was made to conform with Senate Bill No. 1341.

On motion, Senate Bill No. 1341, on same subject, was substituted for House Bill No. 1366.

House Bill No. 1368—To amend Chapter 124, Private Acts of 1963.

House Bill No. 1369—To amend Chapter 144, Private Acts of 1975.

House Bill No. 1371—To amend Charter, City of Dayton.

House Bill No. 1373—To provide for certain jurisdiction of Juvenile Court, Obion County.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

House Bill No. 778—General Appropriations Bill.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

On motion, House Bill No. 778 was made to conform with Senate Bill No. 997.

On motion, Senate Bill No. 997, on same subject, was substituted for House Bill No. 778.

Mr. Henry (Blount) moved that Senate Bill No. 997 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 997 by deleting each and every section of Senate Bill No. 997 and substituting instead new sections 1 through 42, namely:

Sections 1 through 42 of House Bill No. 778 as introduced on February 18, 1981; printed and distributed as House Bill No. 778; and considered to be part of this amendment.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

AMEND Senate Bill No. 997 by adding the following new items at the end of Section 10:

Item—. From the funds generated from increased tuition fees at Tennessee Technological University, there is appropriated and allocated to Tennessee Technological University the sum of fifty-one thousand dollars (\$51,000) for the sole purpose of assisting the nursery research and public service program in the school of agriculture.

Item—. From the funds appropriated to the District Attorneys General in Section 1, Title III-2 of this act, there is hereby allocated fifteen thousand dollars (\$15,000) to enable the victim/witness services program in the tenth judicial circuit to be funded on a fifty percent (50%) state and fifty percent (50%) local basis. All appropriations to such victim/witness services programs in the second, tenth and twenty-fourth judicial circuits shall be subject to the approval of the commissioner of finance and administration.

Item—. Notwithstanding any provision of law or this act to the contrary, no funds appropriated by the provisions of this act shall be obligated or expended to develop, implement, purchase or lease a computer program for the search or retrieval of opinions of the attorney general unless such system is compatible with legislative computer systems.

Item—. From the funds appropriated to the department of correction by the provisions of this act, there is allocated to the Board of Paroles, in addition to appropriations made under Title III-3.9 of Section 1, the sum of twenty thousand (\$20,000) dollars for the specific purpose of providing legal advice to the Board at parole revocation or rescission hearings, and to provide additional reports of parole eligibility.

Item—. From the funds appropriated to the department of conservation by the provisions of this act, there is hereby allocated an amount not to exceed five thousand dollars (\$5,000) for the purpose of developing and constructing a sand bathing beach and bath-house at Fossil Point on the Tennessee River in Nathan Bedford Forrest State Park.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Item—. The department of conservation is hereby directed to request bids and commence construction of a restaurant at Edgar Evins State Park during fiscal year 1981-1982.

Item—. From the funds available to the state building commission, there is allocated the sum of one hundred thousand dollars (\$100,000) for the purpose of preplanning renovations and additions to the biology building at Tennessee State University.

Item—. From the appropriation to the Department of Tourist Development an amount not to exceed one hundred thirty-five thousand dollars (\$135,000) is allocated for the sole purpose of permitting the state of Tennessee to match local funds to non-profit tourist promotional organizations in the nine planning regions in Tennessee as authorized by Tennessee Code Annotated, Section 11-25-105, each such organization shall meet the criteria for funding as established by the Commissioner of Tourist Development. Said fund, one dollar of state funds per dollar of local funds to a maximum of \$15,000.00 to each regional organization shall be contributed only upon recommendation of the Commissioner of Tourist Development and the approval of the Commissioner of Finance and Administration.

Item—. Notwithstanding any other provision of law to the contrary, each state employee presently required to pay a commuting charge for the use of a state automobile shall be required, upon passage of this act, to pay the full cost to the state of owning and operating such vehicle.

Item—. From the funds appropriated by the provisions of this act, no funds shall be expended or obligated to plan or construct a divided highway with a median on the Pellissippi Parkway in the Solway community in Knox County.

Item—. From the funds appropriated in Section 1 Title III-1, item 1.5 for attorneys' fees-federal civil rights cases, all payments to attorneys for payment of fees shall be made on a pro rata basis from such funds.

Item—. From the funds available to the state building commission, there is allocated a sum sufficient to preplan the University of Tennessee library. The preplanning for the University of Tennessee library shall be subject to the availability of funds and the appropriate action of the state building commission.

Item—. In addition to any other funds appropriated by the provisions of this Act, there is hereby appropriated an amount of \$75,000.00 to the Dyer County Levee and Drainage District for the purpose of acquiring additional rights-of-way and maintaining rights-of-way of the district. Necessary attorneys' fees for the cost of acquiring rights-of-way may be paid out of this amount.

Item—. Upon passage, from the funds appropriated to Austin Peay State University, there is allocated the sum of \$10,000 for the sole purpose of repairing the Archwood house to the extent necessary to prevent further deterioration and weather damage until such time as the house may be repaired.

Item—. Notwithstanding any provision of law or this act to the contrary, the Hotel and Restaurant Division of the Department of Tourist Development shall not inspect restaurants in any county which inspects restaurants located within such county and which requires that such restaurants meet standards which are at least as stringent as standards promulgated pursuant to the provisions of Tennessee Code Annotated, Title 53, Chapter 21. Any funds which would have been expended by such department to conduct such inspections are hereby appropriated and allocated to the county conducting such inspections.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Item—. From the highway fund revenues appropriated to the Department of Transportation by the provisions of this act, there is hereby allocated the sum of six million dollars (\$6,000,000) for the improvement of State Route 55 beginning at Morrison and continuing for approximately ten miles to Interstate 24. The provisions of this item are subject to the approval of the commissioner of transportation.

Item—. From the funds appropriated to the department of transportation by the provisions of this act, there is allocated a sufficient amount to pay two judgments and interest and costs thereon against Luke B. Jones (whose real name is Luccious D. Jones), an employee of the department of transportation; one judgment being for the sum of seven hundred (\$700.00) dollars that was obtained in the case of Lewis E. Roberts, plaintiff, vs. Luke B. Jones, defendant, under No. 34746, General Sessions Court of Robertson County, Tennessee and the other judgment being for the sum of one thousand (\$1,000.00) dollars that was obtained in the case of Paul Ferguson, plaintiff, vs. Luke B. Jones, defendant, under No. 2810, Circuit Court of Robertson County, Tennessee.

The commissioner of the department of finance and administration is authorized to issue warrants on the Treasury to pay all sums owing.

The provisions of this item are subject to the approval of the defense counsel commission.

Item—. To the extent that collections in the AFDC IV-D program from AFDC supporting spouses, after deducting incentive payments, exceed \$850,000 for the first half of the 1981-82 fiscal year, the excess shall not revert to the general fund but AFDC grant levels and/or payments shall be increased by the amount of such excess effective February 1, 1982.

Item—. From the appropriations to the Tennessee Student Assistance Corporation, there is hereby allocated a sum sufficient to grant scholarships under the Law Enforcement Officers Dependent Children Scholarship Act, Tennessee Code Annotated, Title 49, Chapter 50, Part 2.

Item—. From the appropriations made in Section 1, Title III-5-2, to the Historical Commission, there is hereby earmarked an amount of \$3,000.00 to old Lenoir City Mill for restoration purposes. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. From the funds appropriated to the department of education by the provisions of this act, there is transferred to the board of regents the sum of one million one hundred fifty-nine thousand six hundred eighty-five dollars (\$1,159,685) for the sole purpose of effectuating the provisions of House Bill No. 512 (SB 759). This item shall not take effect unless House Bill No. 512 (SB 759) becomes law.

Item—. From the funds appropriated to the department of transportation by the provisions of this act, there is appropriated a sum sufficient for the sole purpose and the department is directed to conduct a study of the feasibility of and best location for a bridge for motor vehicles over the railroad tracks in Milan. The provisions of this item are subject to the approval of the commissioner of transportation.

Item—. There is earmarked a sum sufficient from the funds appropriated to the department of transportation to erect and maintain appropriate directional signs on the eastbound and westbound lanes of Interstate 40 at the appropriate exists to indicate the location of the Country Music Hall of Fame and Museum, and to direct that installation of appropriate signs be completed before September 15, 1981.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Item—. From the funds appropriated to the University of Tennessee system for major maintenance, there is allocated the sum of \$250,000 for construction of an agricultural pavilion at the University of Tennessee at Martin.

Item—. From the funds available to the state building commission, there is allocated \$49,000 for preplanning funds for the Poultry Research Institute at the University of Tennessee in Knoxville. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. Notwithstanding any provision of the law to the contrary, the aggregate amount of the local contribution required of local educational agencies to participate in the Tennessee Foundation Program shall not exceed \$52,267,372 for the 1981-82 school year.

Item—. Notwithstanding the provisions of TCA Section 49-27-107 to the contrary, the state comprehensive vocational education program shall not be required to be fully implemented until September, 1982.

Item—. Notwithstanding any provision of the law to the contrary, the state board of education shall have authority to carry forward into fiscal year 1982-83 any surplus funds appropriated for the state area vocational-technical schools during fiscal year 1981-82.

Item—. Notwithstanding any provision of the law to the contrary, and subject to approval by the state board for vocational education any state area vocational-technical school shall be authorized to contract with a state technical institute for purposes of payroll, accounting, and other fiscal matters and in matters involving personnel.

Item—. Insofar as there is a reduction in the state education funds for vocational purposes for fiscal year 1981-82, the state commissioner of education shall be authorized to establish guidelines for the allocation of such funds to local education agencies.

AND FURTHER AMEND by adding the following new items at the end of Section 11:

Item—. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to Middle Tennessee State University the sum of twenty thousand dollars (\$20,000) for the sole purpose of operating the Tennessee Livestock Pavilion.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500.00) to the Elk River Development Agency. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500.00) to the Upper Duck River Development Agency. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500.00) to the Sequatchie Development Agency. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Tennessee advisory commission on intergovernmental

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

relations the sum of one hundred forty thousand dollars (\$140,000) for the purpose of providing for the operation and staffing of such commission.

Item—. In addition to any other appropriations made under this act to the department of public health for the epilepsy treatment program, there is hereby appropriated an amount not to exceed \$178,500 for the 1981-1982 fiscal year. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500.00) to the Beech River Development Authority. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the state civil defense agency the sum of twenty thousand dollars (\$20,000) for the operation of the Emergency Operations Center in Winchester. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of veterans' affairs the sum of three hundred dollars (\$300) to design, produce and distribute Tennessee Distinguished Service Medals pursuant to House Joint Resolution No. 239.

Item—. In addition to any other funds appropriated or allocated by the provisions of this act, the revenue generated from fees for drilling wells pursuant to Tennessee Code Annotated, Section 60-1-103, as amended by House Bill No. 37 (SB 42), is appropriated to the department of conservation and is allocated for the sole purpose of employing four (4) oil and gas supervisors and providing for necessary travel expenses of such inspectors and to employ one (1) secretary in the state oil and gas supervisor's office.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the department of transportation to erect and maintain appropriate directional signs on the eastbound and westbound lanes of Interstate-40 at the appropriate exits to indicate the location of Nashville's Music Row and to direct their placement by September 15, 1981. The appropriation made in this item is subject to the approval of the commissioner of transportation.

Item—. In addition to all other funds appropriated to the University of Tennessee Institute of Agriculture, Agricultural Experiment Station, there is hereby appropriated an additional amount of not more than four hundred fifty thousand dollars (\$450,000), a sum sufficient to equal the 1980-81 funding level. The appropriation made in this item shall be allocated in accordance with recommendations of the House Agriculture Committee.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of revenue a sum sufficient for the purpose of purchasing registration plates to furnish to the various counties of the state pursuant to Tennessee Code Annotated, Section 55-4-103. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to any other appropriation made in this act, there is hereby appropriated the sum of \$35,000 to Tennessee Technological University for the sole purpose of establishing and funding a permanent scholarship fund to be known as the William L. Jones Memorial Scholarship Fund. Said fund shall be permanently

invested at the highest yield available consistent with prudent investment practices. The earnings from said fund, together with earnings from private donations for this purpose, shall be used to provide scholarships to entering students planning careers in government, financial planning, or public service.

Item—. Notwithstanding any provisions of this act to the contrary, there is hereby appropriated the sum of seven thousand one hundred dollars (\$7,100) for the sole purpose of paying Tennessee's annual dues to the National Conference of Commissioners for Uniform State Laws for fiscal year 1975-1976, which dues have not previously been paid by the state of Tennessee.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of three hundred thousand dollars (\$300,000) to the department of conservation for the sole purpose of making general improvements at T.O. Fuller State Park. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to Austin Peay State University the sum of one hundred fifty thousand dollars (\$150,000) for the sole purpose of establishing and operating an Educational Center in Dickson, Tennessee during the fiscal year 1981-82, said appropriation to be subject to the approval of the state board of regents. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. There is hereby appropriated \$250,000.00 to the Center for Product Transitioning in Tennessee. Subject to approval by the Commissioner of Economic and Community Development, the Center shall utilize the funds on a one-time basis to plan and implement a means for marshaling and utilizing all the state's technological expertise and resources necessary to; (1) attract high-technology jobs and capital investment to Tennessee, and (2) commercialize processes and ideas now being invented, developed or inventoried by business and industry in Tennessee and the state's other high-technology research organizations and universities. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to all other appropriations to the department of conservation, there is hereby appropriated an amount not to exceed fifty thousand dollars (\$50,000) for the purpose of conducting dragging, dredging, and snagging operations of those parts of the Hatchie River for which 404 permits have been obtained to permit snagging.

Item—. In addition to all other funds appropriated by the provisions of this act, there is appropriated to the department of transportation a sum sufficient for the sole purpose of resurfacing Highway 19 from the Haywood County line to the city limits of the Town of Ripley. The appropriation made in this item is subject to the approval of the commissioner of transportation.

Item—. In addition to all other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred and twenty-five thousand dollars (\$125,000) to the General Assembly for the purpose of continuing the operation of the on-line bill status information system implemented in accordance with the recommendations made by the Advisory Committee on Computerization and approved by the Joint Legislative Services Committee. The allocation and expenditure of these funds is subject to the approval of the Joint Legislative Services Committee.

Item—. In addition to all other funds appropriated by the provisions of this act,

there is appropriated the sum of one hundred and twenty-five thousand dollars (\$125,000) to the General Assembly for the purpose of implementing a statutory retrieval and a bill preparation system in accordance with the recommendations of the February 1979 Report of the Advisory Committee on Computerization. The allocation and expenditure of these funds is subject to the approval of the Joint Legislative Services Committee. Each state department or agency, except for the Office of Legal Services and the Office of Legislative Services, having access to the statutory retrieval system shall pay an annual access fee and surcharge for the use of such system in addition to the cost of the computer time. Such annual access fee for state departments and agencies shall not exceed five hundred dollars (\$500). Public and private institutions of higher education may have access to such retrieval system and shall pay an annual fee of not more than one thousand dollars (\$1,000) and a surcharge fee in addition to the cost of computer time. Private citizens may have access to such retrieval system upon payment of an annual access fee and appropriate surcharge fees if the Comptroller of the Treasury and the Commissioner of Finance and Administration certify that a similar service is not available from a private business concern. Such fees shall be adopted by the advisory committee on computerization with the approval of the finance, ways and means committees, meeting jointly.

All fees and surcharge fees shall be appropriated and allocated to defray the cost of providing the statutory retrieval and bill preparation systems.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated fifty thousand dollars (\$50,000) to the Department of Economic and Community Development for the sole purpose of administering the Tennessee River Four-County Port Authority Act (Chapter 900 of 1980). The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to any other appropriation herein, there is hereby appropriated \$25,000 to the University of Tennessee administration for the sole purpose of providing a grant in that amount to the Heavy Ion Institute of Oak Ridge, Tennessee.

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Tennessee Corrections Institute the sum of sixty-nine thousand dollars (\$69,000) for the purpose of funding one (1) correction facility inspector to conduct inspections of state and local penal institutions and to fund the operation of the research and evaluation unit. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item—. In addition to the appropriation made to the Tennessee Children's Services Commission by the provisions of this act, there is hereby appropriated \$29,900 to the Commission for the sole purpose of providing one secretarial position and one professional position to serve as staff to the Tennessee Council of Juvenile Judges created in Section 37-278, Tennessee Code Annotated.

Item—. In addition to all other appropriations to the Higher Education Commission, there is hereby appropriated to the THEC the sum of \$30,000 for the purpose of fully implementing the THEC statutory duties including those required by Public Chapter 901 of the Public Acts of 1980. This is contingent upon the rescission of FY 81 federal 1202, Title I, and EIC or FY 82 Appropriations loss for the Education Outreach program funds now granted to the THEC.

Item—. In addition to any funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Transportation for the sole purpose of resurfacing, widening, and improving Highway 61 in Shelby County from the Mississippi line to I-240. Such appropriation shall be subject to the approval of the Department of Transportation.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

AND FURTHER AMEND by deleting item 2.6 of Title III-2 of Section 1 which reads as follows:

2.6 Tenn. Law Enforcement Planning Commission 1,216,300.00
and by substituting instead the following:
2.6 Tenn. Law Enforcement Planning Commission 216,300.00
and by adjusting the subtotals and totals accordingly.

AND FURTHER AMEND by deleting item 7 of Title III-20 of Section 1 which reads as follows:

7. Special Programs - Law Enforcement 442,300.00
and by substituting instead the following:
7. Special Programs - Law Enforcement 1,442,300.00
and by adjusting the subtotals and totals accordingly.

AND FURTHER AMEND by deleting in Section 34 the words and figures "Law Enforcement Planning Commission in Section 1, Title III-2.2, Item 2.6," and by substituting instead the words and figures "department of safety in Section 1, Title III-20, item 7,".

AND FURTHER AMEND by adding the following language at the end of Item 13 of Section 14:

Provided, however, that the provisions of this Item shall not apply to the provisions of Senate Bill No. 555 (House Bill No. 553).

AND FURTHER AMEND by deleting the words "legal clerical" in the second paragraph of Section 40 and by substituting instead the words "legal and clerical".

AND FURTHER AMEND by deleting in Section 1, Title III-22 the words and figures "Item 14 of Section 10" and by substituting instead the words and figures "Item 13 of Section 10".

AND FURTHER AMEND by deleting the words and figures "Section 4-324 and 9-601 to 9-612 inclusive of the Tennessee Code Annotated", "Section 4-324 and 9-601 to 9-612, inclusive, of the Tennessee Code Annotated", "Section 4-324, and 9-601 to 9-612, inclusive, of the Tennessee Code Annotated", "Sections 4-324 and 9-601 to 9-612, inclusive, of the Tennessee Code Annotated", "Tennessee Code Annotated, Sections 4-324 and 9-601 to 9-612, inclusive" and "Sections 4-324 and 9-601 to 9-612, inclusive of the Tennessee Code Annotated" wherever they appear and by substituting instead the words and figures "Tennessee Code Annotated, Section 4-3-1006 and 9-6-101 through 9-6-115."

AND FURTHER AMEND by deleting in Section 1, Title III-25 the words "Highway Planning, Development, and Safety Committee of the Senate" wherever they appear and by substituting instead the words "Transportation Committee of the Senate".

AND FURTHER AMEND by deleting in Section 1, Title III-27 the words and figures "Sections 67-201 through 67-2720" and by substituting instead the words and figures "Sections 67-2701 through 67-2720".

AND FURTHER AMEND by deleting in item 1 of Section 9 the word "published" and by substituting instead the word "publisher".

AND FURTHER AMEND by deleting the words and figures "SECTIONS 14. BE IT FURTHER ENACTED, That:" and by substituting instead the words and figures "SECTION 14. BE IT FURTHER ENACTED, That:".

AND FURTHER AMEND by deleting in Item 8 of Section 14 the words and figures "Tennessee Code Annotated 14-2405" and by substituting instead the words and figures "Tennessee Code Annotated, Section 14-32-105".

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

AND FURTHER AMEND by deleting in Section 17 the words and figures "Section 4-327 of the Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Section 4-3-1008".

AND FURTHER AMEND by deleting in Section 20 the words and figures "Sections 12-304—12-326, Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Sections 12-3-101—12-3-119 and 12-3-204—12-3-208".

AND FURTHER AMEND by deleting in item 6 of Section 25 the words and figures "Section 3-114, Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Section 3-1-106".

AND FURTHER AMEND by deleting in item 6 of Section 25 the words and figures "Section 3-702, Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Section 3-7-102".

AND FURTHER AMEND by deleting Section 31 in its entirety and by renumbering subsequent sections accordingly.

AND FURTHER AMEND by deleting in Section 37 the words and figures "Section 4-1501, Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Section 4-15-101".

AND FURTHER AMEND by deleting in Section 37 the words and figures "Section 4-1501 through 4-1501 inclusive, Tennessee Code Annotated" and by substituting instead the words and figures "Tennessee Code Annotated, Section 4-15-101 through 4-15-107".

AND FURTHER AMEND by deleting in the seventh paragraph of Section 37 the words and figures "of Section 6 of this Act" and by substituting instead the words "of this Section".

AND FURTHER AMEND by deleting in item 2 of Section 38 the words and figures "The appropriation in Section 1, Title III-16, in the amount of \$125,000.00" and by substituting instead the words and figures "From the appropriation in Section 1, Title III-16, the amount of \$125,000.00"

AND FURTHER AMEND by deleting item 13 of Section 39 in its entirety.

AND FURTHER AMEND by deleting from Title III-25 of Section 1 the following sentence:

"The Commissioner of Finance and Administration shall report the allocation of any excess state funds to the Funding Board which body is authorized to cancel bond authorizations."

and by substituting in lieu thereof the following:

"The Commissioner of Finance and Administration shall report the allocation of any excess state funds to the Funding Board which body is authorized and directed to cancel bond authorizations."

AND FURTHER AMEND by inserting the following between the first and second sentences of the second paragraph of Section 4:

Notwithstanding any other provision of law to the contrary, any entity created by any branch of state government with the authority to collect fees or taxes imposed by such branch shall deposit all funds generated by such fees or taxes in the general fund of this state.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

AND FURTHER AMEND by deleting item 14 of Section 10 in its entirety and by renumbering subsequent items accordingly.

AND FURTHER AMEND by deleting in item 15 of Section 10 the figure “1980” and by substituting instead the figure “1981”.

AND FURTHER AMEND by deleting the last sentence of Section 25 and by substituting instead the following:

The provisions of this section shall not be construed to countermand any general act passed by the Ninety-Second General Assembly.

AND FURTHER AMEND by deleting the word “identify” in item 15(2) of Section 14 and by substituting instead the word “identity”.

AND FURTHER AMEND by deleting the word “consideres” from Section 20 and by substituting instead the word “considers”.

AND FURTHER AMEND by inserting the word “paid” immediately following the word “previously” in the third sentence of Section 21.

AND FURTHER AMEND by deleting the word “Regests” in item 2 of Section 39 and by substituting instead the word “Regents”.

AND FURTHER AMEND by deleting Item 7 of Section 9 in its entirety.

AND FURTHER AMEND by adding a new section to be appropriately numbered and read as follows:

Section. . . Other provisions of the law and this act to the contrary notwithstanding, the heads of the respective Departments for which appropriations are made in Section 1, Titles I, II, III-1-1, 3, 4, and 5 are authorized to revise their respective budgets and personnel authorizations within the appropriations made in Sections 1 and 4 of this act and to submit those revised summaries to the Commissioner of Finance and Administration who shall incorporate them into the revised funding recommendations and personnel summaries and allotments and spending authorizations required by Section 22 of this act.

Further amend by adding to Section 13 after the words “District Attorney General” in the first sentence, the following word::

the Secretary of State, Comptroller of the Treasury, and State Treasurer,

Further amend by adding to Section 14, Item 3 after the words “requisitions for purchases”, in the first sentence, the following:

except for requisitions for purchases authorized by the Legislative Branch, including the Secretary of State, Comptroller of the Treasury and State Treasurer, and the Judiciary, including the Attorney General and Reporter,

Further amend by deleting from Section 1 III-1 the following words and amounts:

1. Attorney General Reporter	
1.1 Attorney General and Reporter	\$2,200,400.00
1.2 Publication of Tennessee Reports	55,800.00
1.3 Special Litigation	126,800.00
1.4 Defense Counsel Commission	179,000.00
1.5 Attorneys’ Fees—Federal Civil Rights Cases	418,000.00
Total Attorney General and Reporter	\$2,980,000.00

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

3.	Department of State	
3.1	Secretary of State	\$1,157,600.00
3.2	State Election Commission	39,100.00
3.3	Public Documents	435,500.00
	Total Department of State	\$1,632,200.00
4.	Office of Comptroller of the Treasury	
4.1	Division of Administration	\$245,100.00
4.2	Office of Management Services	1,062,800.00
4.3	Division of State Audit	1,799,300.00
4.4	Division of County Audit	1,630,000.00
4.5	Division of Bond and Local Finance	155,200.00
4.6	Office of Local Government	271,500.00
4.7	Division of Municipal Audit	239,200.00
4.8	Division of Property Assessments	2,999,100.00
4.9	Tax Rebate Program	7,600,000.00
4.10	State Board of Equalization	262,400.00
	Total Office of the Comptroller of the Treasury	\$16,264,600.00
5.	Department of the Treasury	\$2,584,200.00

and substituting in lieu thereof the following new words and amounts and changing the subtotals and totals appropriately:

1.	Attorney General and Reporter	
1.1	Attorney General and Reporter	\$2,594,800.00
1.2	Publication of Tennessee Reports	55,800.00
1.3	Special Litigation	126,800.00
1.4	Defense Counsel Commission	179,000.00
1.5	Attorney's Fees-Federal Civil Rights Cases	418,000.00
	Total Attorney General and Reporter	\$3,374,400.00
3.	Department of State	
3.1	Secretary of State	\$1,239,900.00
3.2	State Election Commission	39,100.00
3.3	Public Documents	435,500.00
	Total Department of State	\$1,714,500.00
4.	Office of Comptroller of the Treasury	
4.1	Division of Administration	\$266,000.00
4.2	Office of Management Services	1,091,600.00
4.3	Division of State Audit	2,003,800.00
4.4	Division of County Audit	1,727,300.00
4.5	Division of Bond and Local Finance	202,900.00
4.6	Office of Local Government	282,700.00
4.7	Division of Municipal Audit	255,400.00
4.8	Division of Property Assessments	3,134,900.00
4.9	Tax Rebate Program	7,600,000.00
4.10	State Board of Equalization	270,500.00
	Total Office of the Comptroller of the Treasury	\$16,835,100.00
5.	Department of the Treasury	\$2,682,500.00

AND FURTHER AMEND by deleting from Section 1, Title III-1 the following words and amounts:

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

2. District Attorneys General
- 2.1 District Attorneys General \$8,373,100.00

and substituting in lieu thereof the following new words and amounts and changing the subtotals and totals appropriately:

2. District Attorneys General
- 2.1 District Attorneys General \$9,023,100.00

AND FURTHER AMEND by adding the following new section immediately following Section 4:

Section—. All funds appropriated in Section 1, Title II, Title III-1, III-2, III-3, III-4, and III-5 shall be administered in a ministerial capacity by the department of finance and administration in accordance with budgets and any revisions thereto of the respective entities for which such appropriations are made. Such budgets and any revisions thereto shall be subject to the concurrence of the speaker of the senate and speaker of the house of representatives.

AND FURTHER AMEND by deleting Section 1, Title II which reads as follows:

II. Judicial

1. Appellate and Trial Courts \$11,089,600.00
2. Supreme Court Buildings 371,000.00
3. Indigent Defendants Counsel 2,016,000.00
4. Verbatim Transcripts 972,900.00
5. State Law Libraries 182,600.00
6. Judicial Council and Conference 55,000.00
7. Judicial Committees 16,800.00
8. Court System Administration 425,800.00
9. Appellate Court Clerks 310,900.00
10. State Board of Law Examiners 129,500.00

Total Title II \$15,570,100.00

and by substituting instead the following:

II. Judicial

1. Appellate and Trial Courts \$11,237,600.00
2. Supreme Court Buildings 371,000.00
3. Indigent Defendants Counsel 2,016,000.00
4. Verbatim Transcripts 1,059,600.00
5. State Law Libraries 204,600.00
6. Judicial Council and Conference 55,000.00
7. Judicial Committees 16,800.00
8. Court System Administration 486,700.00
9. Appellate Court Clerks 310,900.00
10. State Board of Law Examiners 129,500.00

Total Title II \$15,887,700.00

and by adjusting subtotals and totals accordingly.

AND FURTHER AMEND by deleting in item 6 of Section 11 the words "indigent defendant's counsel" and by substituting instead the words "judicial committees".

AND FURTHER AMEND by adding the following at the end of the last paragraph of Section 40:

Such report shall also include employee transfers, dismissals, terminations, demotions, separations, and position abolishments showing clearly by department and the names and titles of the employees affected such employees' position prior and subsequent to such actions.

AND FURTHER AMEND by deleting from the second sentence of Section 14, Item 3 the word "automatically" and by adding a new sentence to read as follows:

Provided further, that transfers pursuant to this item are subject to the procedure for approval of transfers set forth in Item 5 of this section.

Further amend by adding a new sentence at the end of Section 14, Item 5 to read as follows:

Provided further, that said committee shall have the authority to approve the allocation of all sum sufficient appropriations made in this act.

AND FURTHER AMEND by adding the following new item to Section 14:

Item—. Any personal services, professional services or consultant services contracts concerning management services of all types, management studies, planning services, public relations, evaluations, systems designs, data processing, auditing or accounting services entered into by an executive department or agency of state government shall be executed by the head of such department or agency and shall be subject to the approval by the Commissioner of Finance and Administration and the Comptroller of the Treasury. No funds appropriated under this act to a department or agency shall be used for such contracts unless such approval is received or as otherwise authorized by the approving officials.

AND FURTHER AMEND by deleting in its entirety items 3 and 7 in Title III-2 of Section 1 and substituting in lieu thereof the following and changing the subsequent totals accordingly:

3. Commissions

3.1	Tennessee Children's Services Commission	\$248,500.00
3.2	Commission on Aging	1,446,000.00
3.3	Alcoholic Beverage Commission	506,700.00
3.4	Commission for Human Development	360,600.00
3.5	Law Enforcement Training Commission	590,300.00
3.6	Health Facilities Commission	221,600.00
3.7	Tennessee Corrections Institute	442,200.00
3.8	Tennessee Arts Commission	
a.	Tennessee Arts Commission	559,500.00
b.	Tennessee State Museum	638,800.00
c.	Joe L. Evins Crafts Center	198,300.00
	Total Tennessee Arts Commission	\$1,396,600.00
3.9	Board of Paroles	1,486,500.00
3.10	Obion-Forked Deer Authority	268,800.00
3.11	Tennessee Energy Authority	622,400.00
	Total Commissions	\$7,590,200.00

7. Department of Veterans Affairs

\$842,200.00

AND FURTHER AMEND BY deleting in its entirety Title III-3 in Section 1, and substituting in lieu thereof, the following:

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

3. Department of Agriculture

1. Division of Administration	\$709,700.00
2. Division of Animal Industries	1,490,600.00
3. Division of Plant Industries	857,800.00
4. Division of Consumer Affairs	193,500.00
5. Division of Foods and Dairies	1,372,600.00
6. Division of Marketing	\$933,200.00
7. Soil Conservation	201,400.00
8. Agricultural Fairs	154,100.00
9. Junior Agricultural Clubs	55,000.00
10. Ellington Agricultural Center	40,000.00
Total Title III-3	\$6,007,900.00

AND FURTHER AMEND BY deleting in its entirety Title III-5 in Section 1, and substituting in lieu thereof the following:

5. Department of Conservation

1. Division of Administration	\$2,066,400.00
2. Historical Commission	440,900.00
3. State Abandoned Land Program	821,500.00
4. Surface Mining Program	911,100.00
5. Division of Forestry	6,785,600.00
6. Division of Geology	663,800.00
7. Division of Parks	8,500,800.00
8. Division of Water Resources	432,300.00
9. Facilities Management	1,090,400.00
10. Forestry Equipment	160,000.00
Total Title III-5	\$21,872,800.00

AND FURTHER AMEND BY deleting in its entirety item 1 (Administration and Field Services) in Title III-9 in Section 1, and substituting in lieu thereof the following and changing the subsequent totals accordingly:

9. Department of Education

1. Administration and Field Services

1.1 Division of Administration	\$4,345,100.00
1.2 Education Grants-in-Aid	62,100.00
1.3 Tennessee Tomorrow Program	45,100.00
1.4 Improvement of Basic Skills	988,000.00
1.5 Improvement of School Personnel	250,000.00
1.6 Comm. on Post-Secondary Education	52,600.00
1.7 State Board of Education	87,400.00
Total Administration and Field Services	\$5,830,300.00

AND FURTHER AMEND BY deleting items 3 and 6 in Title III-15 (Department of Military) in Section 1 and substituting in lieu thereof the following:

3. Division of Tennessee Air National Guard	\$397,300.00
6. Armories Utilities	\$653,400.00

AND FURTHER AMEND BY deleting in its entirety Section 35 which reads:

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Section 35. BE IT FURTHER ENACTED, That upon passage, there is hereby appropriated the following amounts which shall be in addition to the apropriations provided under Chapter 921 of the Public Acts of 1980:

Department of Education

- | | |
|----------------------------------------|-------------|
| 1. Retirement Accumulation Fund | \$31,700.00 |
| 2. Social Security Contributions | 758,300.00 |

Higher Education

- | | |
|----------------------------------------------------|--------------|
| 3. U. T. Retirement Accumulation Fund | \$308,700.00 |
| 4. U. T. Social Security Contributions | 40,400.00 |
| 5. S. B. O. R. Retirement Accumulation Fund | 85,400.00 |
| 6. S. B. O. R. Social Security Contributions | 45,100.00 |
| 7. U. T. Center for Health Sciences | 610,200.00 |
| 8. U. T. College of Medicine | 289,800.00 |

Department of Human Services

- | | |
|----------------------------------------|--------------|
| 9. Division of Administration | \$104,700.00 |
| 10. Field Operations | 89,400.00 |
| 11. Special County Rentals | 143,600.00 |
| 12. Family Assistance Division | 700,500.00 |
| 13. Aid to Dependent Children | 2,803,300.00 |
| 14. Board and Care Contributions | 727,000.00 |

Department of Public Health

- | | |
|--------------------------------------------------|-----------------|
| 15. Medicaid Services | \$11,868,500.00 |
| 16. Intermediate Care Nursing Home Program | 931,500.00 |
| Total | \$19,538,100.00 |

AND substituting in lieu thereof the following:

SECTION 35. BE IT FURTHER ENACTED, That upon passage, there is hereby appropriated the following amounts which shall be in addition to the appropriations provided under Chapter 921 of the Public Acts of 1980:

Department of Education

- | | |
|----------------------------------------|-------------|
| 1. Retirement Accumulation Fund | \$31,700.00 |
| 2. Social Security Contributions | 758,300.00 |

Higher Education

- | | |
|----------------------------------------------------|----------------|
| 3. U. T. Retirement Accumulation Fund | \$308,700.00 |
| 4. U. T. Social Security Contributions | 40,400.00 |
| 5. S. B. O. R. Retirement Accumulation Fund | 85,400.00 |
| 6. S. B. O. R. Social Security Contributions | 45,100.00 |
| 7. U. T. Center for Health Sciences | 610,200.00 |
| 8. U. T. College of Medicine | 289,800.00 |
| Total | \$2,169,600.00 |

AND FURTHER AMEND by adding the following new sections:

Section—: Definitions. For the purposes of the following section, unless the context otherwise requires, the following terms, whether used in the singular or plural, shall be defined as follows:

“Federal block grant” shall mean funds given to the State by the federal government but not designated by the federal government to be spent for a specific purpose.

Section—. To the extent that any program covered under Sections 1 and 4 of this act are curtailed by reductions in the federal budget or are combined into block grants in the federal budget, the Commissioner of Finance and Administration shall present the Governor’s recommendations for reducing those programs, together with his recommendation for allocating such block grants as many be created, to the Finance, Ways, and Means Committees and the appropriate standing committees of the Senate and the House of Representatives. Further it is provided that the reductions and/or allocation of such block grants as are covered under this section shall not be effective until approved by a committee composed of the Comptroller of the Treasury, Secretary of State, Treasurer, Commissioner of Finance and Administration and the Governor. Provided further that said committee shall consult with the Finance, Ways, and Means Committees and the appropriate standing committees of the Senate and House of Representatives prior to taking final action.

AND FURTHER AMEND by adding a new item to Section 38 to read:

Item—. The commissioner of finance and administration is authorized to establish a telecommunications unit and to expend an amount not to exceed \$150,000.00 for this purpose, and further, it is the legislative intent that the cost of said unit be charged to the user agencies. The provisions of this item are subject to the approval of the commissioner of finance and administration and the comptroller of the treasury.

AND FURTHER AMEND BY deleting in its entirety Title III-7 in Section 1, and substituting in lieu thereof the following:

7. Department of Correction

1. Division of Administration	\$1,972,500.00
2. Division of Adult Probation	3,387,400.00
3. Division of Juvenile Probation	3,308,600.00
4. State Prosecutions	11,500,000.00
5. Rehabilitative Services	2,211,200.00
6. Tennessee State Prison	18,667,000.00
7. Brushy Mountain Prison	5,773,100.00
8. Fort Pillow State Farm	6,448,300.00
9. Women’s Prison	2,834,200.00
10. Turney Center for Youthful Offenders	5,582,200.00
11. DeBerry Correctional Institute	3,561,000.00
12. Shelby County Regional Facility	3,697,200.00
13. Nashville Regional Facility	5,671,400.00
14. Bledsoe County Regional Facility	4,112,800.00
15. Morgan County Regional Facility	4,112,500.00
16. Lake County Regional Facility	4,111,000.00
17. Spencer Youth Center	4,314,400.00
18. James M. Taft Youth Center	3,480,300.00
19. Highland Rim School for Girls	2,015,000.00
21. Tennessee Youth Center	1,392,800.00
22. Foster and Group Homes	2,051,200.00
23. John S. Wilder Development Center	1,994,700.00
Total Title III-7	\$102,198,800.00

AND FURTHER AMEND BY deleting in its entirety Title 111-17 in Section 1, and substituting in lieu thereof the following:

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

17. Department of Human Services

1. Administration

1.1 Division of Administration	\$4,220,900.00
1.2 Field Operations	4,161,900.00
1.3 Special County Rentals	1,845,400.00
Total Administration	\$10,228,200.00

2. Family Assistance Services

2.1 Family Assistance Division	\$14,938,300.00
2.2 Aid to Dependent Children	27,070,700.00
2.3 Child Support	335,900.00
2.4 Pensions for Confederate Widows	5,400.00
2.5 Work Incentive Program	321,700.00
Total Public Assistance Services	\$42,672,000.00

3. Social Services

3.1 Social Services Division	\$4,575,100.00
3.2 Board and Care Contributions	3,232,100.00
3.3 Community Services	327,500.00
Total Social Services	\$8,134,700.00

4. Services for the Blind

4.1 Blind Services	\$1,205,100.00
4.2 A. P. Mills Industries for the Blind	409,500.00
4.3 Mason Brandon Industries for the Blind	571,200.00
Total Services for the Blind	\$2,185,800.00
Total Title 111-17	\$63,220,700.00

AND FURTHER AMEND BY adding a new Section to read:

SECTION—. BE IT FURTHER ENACTED, That:

Item 1. There is hereby appropriated the sum of One Hundred, Twenty-Five Thousand (\$125,000) Dollars to the State Board of Regents System which shall be in addition to all other appropriations made to the State Board of Regents System and which shall be used for the sole purpose of obtaining assistance to improve and update the accounting and financial information systems at Tennessee State University. Assistance is to be provided by the State Comptroller's Office and such consultants as are deemed necessary by the State Comptroller and the State Board of Regents. Reimbursement for these costs shall be made from this appropriation.

Item 2. Upon passage therein hereby appropriated in the fiscal year ending June 30, 1981, a sum not to exceed One Million, One Hundred Thousand (\$1,100,000) Dollars to the Tennessee Foundation Program.

Item 3. In addition to the appropriations made in Sections 1 and 4 of this Act, there is further appropriated Four Hundred Thousand (\$400,000) Dollars to Lakeshore Mental Health Institute and Two Hundred Thousand (\$200,000) Dollars to Arlington Developmental Center. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 4. There is hereby appropriated an amount not to exceed Nine Hundred Thousand (\$900,000) Dollars to the Department of Human Services for Board and Care Contributions. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND BY adding a new Section to read:

SECTION—. BE IT FURTHER ENACTED, That:

Item 1. From the funds appropriated for capital outlay purposes to the Department of Conservation in Section 1, Title III-24 of this Act, it is the legislative intent to make the following changes in the projects presented in the State of Tennessee's 1981-82 Budget Document: a.) Reduce Harrison Bay State Park - Renovation from \$136,000.00 to \$131,000.00; b.) Reduce Booker T. Washington State Park -Renovation from \$71,000.00 to \$66,000.00; c.) Reduce Fall Creek Falls -Bikeway from \$34,000.00 to \$25,000.00; d.) Delete Over Mountain Victory Trail \$40,000; e.) Delete Indian Mountain State Park - Maintenance Building \$5,000.00; f.) Increase Exhibits - State Parks from \$50,000.00 to \$104,000.00; and g.) Increase Nathan Bedford Forrest Historical Area from \$7,000.00 to \$17,000.00.

Item 2. It is the legislative intent to make the following changes in the capital outlay projects presented in the State of Tennessee's 1981-82 Budget Document for the Department of Mental Health and Mental Retardation: a.) Delete Community Services for Exceptional Citizens, Inc. - New Facility \$180,000.00; b.) Add Arlington Developmental Center -Kitchen airconditioning equipment \$120,000.00; c.) Moccasin Bend Mental Health Institute - Kitchen airconditioning equipment \$60,000.00.

Item 3. The capital outlay funds appropriated in Chapters 435 and 437, Public Acts of 1979, to the Department of Correction for a dormitory at the Tennessee Reception and Guidance Center are hereby reappropriated to provide for additional dormitory space within existing facilities for adults.

Item 4. Any unexpended capital outlay funds appropriated by previous general assemblies for completed or discontinued projects are hereby reappropriated subject to approval by the State Building Commission of each project to be provided for from said funds.

Item 5. There is hereby appropriated the sum of \$1,350,000.00 for the construction of an agricultural pavilion at the University of Tennessee at Martin.

AND FURTHER AMEND by adding a new section to read:

SECTION—. BE IT FURTHER ENACTED, That in addition to the appropriations made in Sections 1 and 4 of this Act:

Item 1. There is further appropriated \$91,800.00 to the Division of Hotel and Restaurant Inspection. This appropriation is subject to passage of Senate Bill 1004-House Bill 1007.

Item 2. There is further appropriated an amount not to exceed \$500,000.00 to the Tennessee Bureau of Investigation. This appropriation is subject to approval by the Commissioner of Finance and Administration and to passage of Senate Bill 100-House Bill 510.

Item 3. There is further appropriated an amount not to exceed \$1,450,000.00 in the following manner: a) \$1,000,000.00 for the Police Pay Supplement program, b) \$175,000.00 to the Law Enforcement Training Academy, c) \$265,000.00 to the Division of Driver Control. This appropriation is subject to approval by the commissioner of finance and administration and to passage of Senate Bill 1156-House Bill 1148.

Section—. Each state employee and teacher shall receive an across-the-board salary increase of seven percent (7%).

by adding the following new item at the end of Section 11:

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Item—. From the funds appropriated to the Tennessee Foundation Program, there is allocated to the department of education the sum of thirty thousand dollars (\$30,000) for the sole purpose of funding an office of community education to provide technical assistance to local school systems and to promote community education.

by adding the following new item at the end of Section 11:

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of education the sum of fifteen thousand dollars (\$15,000) for the sole purpose of providing an educational grant to fund the Tennessee Academy of Science.

by adding an additional item to the appropriate section to read as follows:

Item—. In addition to the other appropriations made in this Act, there is hereby appropriated to the Department of Education, Regional Libraries, an amount of \$750,000, to be used as follows:

A. \$320,000 for the FLICS Program (Film Library Cooperative Program), and

B. \$430,000 for the delivery of library services to the economically disadvantaged in nursing homes, nutrition centers, Headstart classes, publicly supported day care centers, and low rent housing areas.

In addition to any funds appropriated by the provisions of this Act, there is hereby appropriated a sum equal to (eighty one hundredths of one percent (0.81) of the amount requested by the Tennessee Higher Education Commission for those institutions affected by the Tennessee Higher Education Commission academic formula. This additional amount is to be distributed to the affected institutions according to the Tennessee Higher Education Commission formula.

in Section 1, Title III, Item 9-3.1(a) "Vocational and Technical Education", by adding at the end thereof the following:

The commissioner of education is hereby directed to restore the seventeen percent (17%) funding reduction from the appropriation of vocational-technical education for the 1980-1981 fiscal year so that the appropriation for vocational-technical education for the 1981-1982 fiscal year is the same as that for the 1980-1981 fiscal year. For this purpose, there is hereby appropriated a sum not to exceed four million dollars (\$4,000,000) to be used to replace reduced funding during the period from July 1 to December 31, 1981. In order to reduce the need to utilize these reserve funds, the commissioner of education is directed to present to the education and finance, ways and means committees, prior to January 1, 1982 specific reductions of programs and/or classes in areas of vocational-technical education which he finds are unnecessary, duplicative, or non-effective and to recommend, if necessary, increases in class sizes or class size waivers in order to reduce the number of class offerings when such offerings result from efforts to meet slight excesses in mandated class size.

by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

Item—. From the funds transferred to the General Fund from the Tennessee Industrial Development Authority pursuant to SB 1115/HB 1315, there is hereby appropriated an amount of \$1,000,000.00, in addition to any other appropriation made in this act, to the Tennessee Peace Officers Standards and Training Commission, for the purpose of making payments to police officers pursuant to SB 1003/HB 1147. This appropriation is contingent upon SB 1115/HB 1315 and SB 1003/HB 1147 being enacted into law.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

by adding a new item as follows:

Item—. In addition to any other funds appropriated by this act, there is hereby appropriated to the Tennessee Arts Commission the sum of \$144,000 for the operation of the Joe L. Evins Crafts Center.

by adding the following new item at the end of Section 11:

Item—. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Pleasant Hill Historical Society of the Cumberland, Inc. for the sole purpose of preservation and restoration of Pioneer Hill.

AND FURTHER AMEND BY ADDING a new item as follows, in Section 9, to be numbered appropriately:

Item—. In addition to all other funds appropriated to the Department of Conservation, there is hereby appropriated an additional amount not to exceed one hundred thousand dollars (\$100,000) to be paid over to the department and used to conduct a study of the feasibility of developing a lake on Spring Creek in Hardeman County.

AND FURTHER AMEND by adding the following language in Section—.

The appropriation contained in Section 1 of Title III-7 shall:

- 1) Continue the operation of the Tennessee Youth Center as a facility for boys.
- 2) Continue the use of the Highland Rim School as a facility for girls.
- 3) Close the Tennessee Reception & Guidance Center for Children by transfer of the program to Spencer Youth Center.
- 4) Transfer the Nashville Community Service Center (work release) to the CRC.
- 5) Use the present location of the Nashville Community Service Center as an annex to the Tennessee Prison for Women.

by adding to the end of Section 11 the following item:

Item—. From the funds appropriated in Section 1, Title III-25, item 1.10, there is hereby allocated a sum sufficient to the department of transportation for the sole purpose of paving the industrial park access road for the city of Springfield Industrial Park in Robertson County.

by adding the following as an appropriately numbered item at the end of Section 10:

Item—. From the funds appropriated by the provisions of this act, the medicaid offices which investigate fraud in Knoxville and Memphis shall be maintained at the current level of funding and at the current locations.

by adding an additional item to the appropriate section to read as follows:

Item—. There is hereby appropriated the sum of ninety thousand dollars (\$90,000.00) for the development and expansion of the general dentistry resident training program of Meharry Medical College. The appropriation made in this item is inclusive of any other funds appropriated by this act and shall be the total amount appropriated for such purpose.

by adding the following at the end of Section 11 as an appropriately numbered item:

Item—. From the funds available to the department of transportation, the department shall begin preplanning of implementation and construction of two (2) exits ramps from Interstate 40 on the east and westbound sides where Interstate 40 crosses Prosser Road in Knox County. The exit ramps shall not be constructed unless the right of way is provided free to the State of Tennessee.

by adding the following new item at the end of Section 10:

Item—. From the funds appropriated to the department of correction for the development and implementation of a volunteer prisoner work program by the provisions of this act, the sum of \$800,000 is hereby appropriated and allocated to provide increased longevity payments under the provisions of TCA, Section 8-23-206. The appropriation made in this item is subject to House Bill No. 492 (SB 151) not becoming law.

by adding the following new section to read as follows:

Section—. Item 1. The Commissioners of Finance and Administration and Personnel are directed to develop and implement a plan for reducing the executive branch agencies of state government funded in sections 1 and 4 of this act to effect a savings of approximately \$6,000,000.00 in state funds for the 1981-82 and subsequent fiscal years by reducing approximately 800 funded positions.

Item 2. It is the legislative intent that the Chief Justice of the Supreme Court, the Speakers of the Senate and House, the Attorney General, the Secretary of State, the Comptroller of the Treasury, and the State Treasurer, shall examine their organizations to effect the maximum position reductions and savings possible consistent with the efficient execution of their constitutional and statutory responsibilities. These officials shall report to the Chairman of the Finance Committee of the Senate and House on the reductions and savings which may be implemented not later than July 31, 1981.

Item 3. In implementing the reductions required by this section, vacant and funded positions shall be abolished to the extent practical. When filled positions are identified for abolishment, it is the legislative intent that they not be abolished until the position becomes vacant through attrition or until the employee is offered a comparable position at the same rate of pay and in the same location. It is also the legislative intent that the hiring freeze currently in effect shall continue during the 1981-82 fiscal year.

Item 4. In addition to the appropriations made in Section 1 of this act, there is hereby appropriated a sum sufficient from non-recurring revenue sources to provide funding to phase out the abolished positions, it being the legislative intent that this is a one-time appropriation. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 5. The Commissioner of Finance and Administration is authorized to transfer funds, including transfers between executive branch departments, to carry out the provisions of this section. Said transfers shall be reported to the Speaker of the Senate, the Speaker of the House of Representatives, the State Comptroller, and the Finance, Ways and Means Committees of the Senate and the House of Representatives.

by adding a new paragraph at the end of Section 40 to read as follows:

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Each state employee eligible for longevity payments under the provisions of 8-23-206, T.C.A., shall receive, effective as of the same date as such longevity payment, an amount equal to \$ — times total years of service. Total years of service, for purposes of this payment, shall be computed in accordance with Section 8-23-206, T.C.A., and/or rules promulgated pursuant thereto but, in no event, shall total years of service for purposes of this payment, exceed fifteen (15). This payment shall be made in addition to longevity payments authorized in Section 8-23-206, T.C.A.

by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

Item—. Notwithstanding any other provisions of this Act to the contrary, expenditures and/or obligations of the Information Systems Services Division, Department of Finance and Administration, shall not exceed \$13,717,900 for fiscal year 1981-82.

AND FURTHER AMEND by deleting from Section 1, Title III-5 the following words and figures:

Division of Administration	\$1,186,200.00
Division of Classification and Pay	601,000.00

and by substituting in lieu thereof the following:

Division of Administration	\$1,163,100.00
Division of Classification and Pay	533,400.00

AND FURTHER AMEND by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

Item—. Notwithstanding any other provisions of this Act to the contrary, expenditures and/or obligations of the Department of Personnel shall not exceed \$3,390,900 for fiscal year 1981-82.

AND FURTHER AMEND by deleting from Section 1, Title III-6, the following words and figures:

Purchasing Division	\$1,738,600.00
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and by substituting in lieu thereof the following:

Purchasing Division	\$1,592,000.00
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AND FURTHER AMEND by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

Item—. From the appropriation made in Section 1, Title III to the Department of Tourist Development, Division of Administration and Travel Promotion, there is hereby earmarked an amount of \$750,000 for the expenses to produce a musical program to promote the State's presence at Expo 82.

AND FURTHER AMEND by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

Item—. Notwithstanding any other provisions of this Act to the contrary, no funds appropriated to the Department of Veterans Affairs shall be expended and/or obligated for the Tennessee Tomorrow Program and expenditures and/or obligations of the Department of Veterans Affairs shall not exceed \$842,200.00 for the fiscal year 1981-82.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

AND FURTHER AMEND by deleting from Section 1, Title III-8, the following words and figures:

Division of Industrial Development	\$1,611,700.00
Office of Film and Television	
Production	186,500.00

and by substituting in lieu thereof the following:

Division of Industrial Development	\$1,576,700.00
Office of Film and Television	
Production	57,800.60

AND FURTHER AMEND by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

Item—. Notwithstanding any other provisions of this Act to the contrary, expenditures and/or obligations of the Department of Economic and Community Development shall not exceed \$4,731,400.00 for the fiscal year 1981-82.

AND FURTHER AMEND by deleting from Section 1, Title III-9, the following words and figures:

Improvement of Basic Skills	\$988,000.00
Improvement of School Personnel	250,000.00

and by substituting in lieu thereof the following:

Improvement of Basic Skills	\$725,000.00
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AND FURTHER AMEND by deleting from Section 1, Title III-10 the following words and figures:

and by substituting in lieu thereof the following:

Student Assistance Corporation	\$5,509,000
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AND FURTHER AMEND by deleting from Section 1, Title III-16 the following words and figures:

Medicaid Administration	\$7,918,400.00
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and by substituting in lieu thereof the following:

Medicaid Administration	\$7,633,400.00
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AND FURTHER AMEND by deleting from Item 26 of Section 1 the following words and figures:

Amortization of Authorized and Unissued Bonds	\$18,412,000.00
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and by substituting in lieu thereof the following:

Amortization of Authorized and Unissued Bonds	\$18,052,000.00
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by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

Item—. If the Commissioner of the Department of Finance and Administration and the Governor estimate that sums of money, other than federal funds, in excess of that estimated to be available to the General Fund as of the date of passage of this Act will be available in FY 1981-82, such excess sums may be used to fund one or more of the items recommended in the 1981-82 Budget Document for which no appropriations have otherwise been made in this Act.

The obligation and/or expenditure of such excess funds shall be subject to the approval of a committee composed of the governor, the state treasurer, the secretary of state, the commissioner of finance and administration and the state comptroller.

On motion, Amendment No. 2 was adopted.

Mr. Smith moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 997 by adding the following new item at the end of Section 10:

Item—. Notwithstanding any provisions of law or this act to the contrary, to the extent that revenues generated pursuant to the provisions of Tennessee Code Annotated, Title 67, Chapters 33 and 37 are insufficient to equal the total funds appropriated and allocated to local government for streets, roads and highways during fiscal year 1980-1981, there is appropriated a sum sufficient to restore such funding to the 1980-1981 fiscal year level.

Mr. Burnett moved that the Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	51
Noes	43

Representatives voting aye were: Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Lashlee, Lowe, McNally, Murray, Naifeh, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Shockley, Spence, Stallings, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Work and Mr. Speaker McWherter—51.

Representatives voting no were: Akard, Bell (Knox), Brewer, Byrd, Carter, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davis (Hamilton), DeBerry, Disspayne, Ellis, Gaia, Gill, Hudson, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Owen, Pruitt, Robinson (Davidson), Scruggs, Severance, Shirley, Small, Smith, Starnes, Sterling, Turner, Withers, Wood and Yelton—43.

Mr. Wallace moved the previous question which motion prevailed by the following vote:

Ayes	78
Noes	10
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Murray, Naifeh, Percy,

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—78.

Representatives voting no were: Cobb, Copeland, Covington, Disspayne, Hudson, Kernell, Murphy (Davidson), Owen, Robertson and Scruggs—10.

Representatives present and not voting were: Brewer, Moore and Turner—3.

Thereupon, Senate Bill No. 997, as amended, passed its third and final consideration by the following vote:

Ayes	83
Noes	3
Present and not voting	9

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter—83.

Representatives voting no were: Gaia, Smith and Spence—3.

Representatives present and not voting were: Clark (Sumner), Copeland, Duer, Henry (Roane), Kent, Moore, Robertson, Ussery and Wood—9.

A motion to reconsider was tabled.

House Bill No. 779—To authorize issuance of bonds, various state departments.

Mr. Henry (Blount) moved that House Bill No. 779 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 779 by deleting from Section 4, item 1 the words and figures “seven million, five hundred, fifty-two thousand (\$7,552,000.00)” and substituting instead the words and figures “seven million, four hundred, forty thousand (\$7,440,000)”.

FURTHER AMEND by deleting from Section 4, item 2 the words and figures “Eight Hundred, Ninety Thousand (\$890,000.00)” and substituting instead the words and figures “seven hundred, ten thousand (\$710,000.00)”.

FURTHER AMEND by deleting from Section 4 item 3 the words and figures “three million, seven hundred, thirty-eight thousand (\$3,738,000.00)” and substituting instead the words and figures “three million, four hundred eighty-eight thousand (\$3,488,000.00)”

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

FURTHER AMEND by deleting from Section 4, item 4 the words and figures “two million, one hundred, eighteen thousand (\$2,118,000.00)” and substituting instead the words and figures “two million, seventy thousand (\$2,070,000.00)”.

FURTHER AMEND by deleting from Section 4, item 6 the words and figures “three million, three hundred, ninety thousand (\$3,390,000.00)” and substituting instead the words and figures “three million, one hundred, twenty-five thousand (\$3,125,000.00)”

FURTHER AMEND by deleting from Section 4, item 7 the words and figures “nine million, four hundred, five thousand (\$9,405,000.00)” and substituting instead the words and figures “ten million, seven hundred, fifty-five thousand (\$10,755,000.00)”.

FURTHER AMEND by deleting from Section 4, item 9 the words and figures “five hundred, eighty-six thousand (\$586,000.00)” and substituting instead the words and figures “four hundred forty-two thousand (\$442,000.00)”.

FURTHER AMEND by deleting from Section 4, item 10 in its entirety.

FURTHER AMEND by deleting from Section 4, item 11 in its entirety.

FURTHER AMEND by deleting from Section 4, item 13, in its entirety.

FURTHER AMEND by renumbering the remaining items in Section 4 accordingly.

FURTHER AMEND by adding the following language at the end of item 15 of Section 4:

Such funds may be used for any public purpose as defined in Tennessee Code Annotated, Sections 5-10-402(2), 5-11-102(9), or 7-36-102(9).

FURTHER AMEND by adding the following language at the end of item 15 of Section 4:

Any monies received under the provisions of this act by any person or organization other than the state of Tennessee shall subject that person or organization to annual audit by the comptroller or such public accounting firm as designated by the comptroller at the expense of the person or organization receiving the monies until the year 2004.

On motion, the Amendment was adopted.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 779 by redesignating Section 9 to be Section 10 and by adding a new Section 9, as follows:

SECTION 9. Any facilities constructed with funds raised through the bond issue authorized by this act which require the use of hot water shall be equipped with solar hot water heaters unless the state architect determines that such use would not be feasible or would require a payback period longer than the term of the bond issue. In addition, where the state architect determines it is feasible, facilities constructed with funds raised through the bond issue authorized by this act shall be designed and equipped to utilize solar heating, either active or passive or both, as is most feasible.

On motion, the amendment was adopted.

Mr. Byrd moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 779 by deleting the language of Item 15 of Section 4 in its entirety and substituting the following new language:

15. Twenty Million (\$20,000,000.00) Dollars to the State Building Commission to be allocated and expended by the State Building Commission for Memphis-Shelby County Community Development projects for the purpose of acquisition, erection, construction and equipment of sites and buildings, expressly including the acquisition of existing structures, for expansion, improvements, betterments and extraordinary repairs to existing structures, all to be approved by the State Building Commission.

FURTHER AMEND by deleting Item 14 of Section 4 in its entirety and renumbering the remaining items accordingly.

On motion, the amendment was adopted.

Mr. Gill moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 779 by adding the following language at the end of item 15 of Section 4:

Such funds may be used for any public purpose as defined in Tennessee Code Annotated, Sections 5-10-402(2), 5-11-102(8), or 7-36-102(9).

On motion, the amendment was adopted.

Mr. Gill moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 779 by adding a new section, as follows, immediately before the effective date section and by renumbering the effective date section accordingly:

SECTION—. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 6

Amend House Bill No. 779 by adding to the language of item 15 of Section 4 of the following:

Provided, however, no funds may be expended for the purpose of constructing or maintaining a hotel or motel.

Mr. Gill moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes	59
Noes	28
Present and not voting	1

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Representatives voting aye were: Bell (Knox), Bell (Wilson), Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Davis (Hamilton), DeBerry, DePriest, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), Lowe, McNally, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Small, Spence, Stallings, Starnes, Turner, Ussery, Wheeler, Withers, Wood, and Mr. Speaker McWherter—59.

Representatives voting no were: Akard, Baker, Bivens, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Ellis, Kelley, King (Washington), Lashlee, McAfee, McKinney, Miller, Pruitt, Shirley, Sterling, Tanner, Wallace, Webb, Whitson, Wix, Wolfe, Work and Yelton—28.

Representative present and not voting was: Hudson—1.

Mr. Murphy (Shelby) moved the previous question, which motion prevailed by the following vote:

Ayes	64
Noes	26

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Copeland, Davidson, Davis (Hamilton), DePriest, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lowe, McNally, Miller, Montgomery, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Spence, Stallings, Starnes, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wood and Mr. Speaker McWherter—64.

Representatives voting no were: Bivens, Clark (Davidson), Cobb, Covington, Crain, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Ellis, Lashlee, Love, McAfee, McKinney, Moore, Murphy (Davidson), Pickering, Pruitt, Shirley, Small, Sterling, Tanner, Wallace, Wix, Wolfe and Yelton—26.

Thereupon, House Bill No. 779, as amended, passed its third and final consideration by the following vote:

Ayes	81
Noes	8
Present and not voting	5

Representatives voting aye were: Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Yelton and Mr. Speaker McWherter—81.

Representatives voting no were: Akard, Covington, Dills, McKinney, Pruitt, Shirley, Small and Work—8.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Representatives present and not voting were: Clark (Davidson), Davis (Pickett), Moore, Severance and Wix—5.

A motion to reconsider was tabled.

STATEMENT BY MR. JONES

I wish to be recorded as voting for House Bill No. 779 and Senate Bill No. 997, and have same spread on the journal.

RUFUS JONES

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 109—Relative to building sports arena, Knoxville.

The Speaker referred Senate Joint Resolution No. 109 to the Committee on State and Local Government.

Senate Joint Resolution No. 135—Relative to study industrial development bonds.

The Speaker referred Senate Joint Resolution No. 135 to the Committee on State and Local Government.

Mr. Owen moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 191, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Yelton, Baker and Owen as the Conference Committee on Senate Bill No. 191.

Mr. Rhinehart moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 753, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Spence, Bell (Knox) and Rhinehart as the Conference Committee on Senate Bill No. 753.

Mr. Dills moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 250 out of order, which motion prevailed.

House Joint Resolution No. 250—Relative to honoring Dr. Edward B. Eller—By Dills.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Dills, the resolution was adopted.

A motion to reconsider was tabled.

MAJORITY CONFERENCE COMMITTEE REPORT

Mr. Speaker:

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Your conference committee on Senate Bill 115/House Bill 71 has met and begs leave to report their recommendations as follows:

- 1) That House Amendment No. 1 be concurred in both House .
- 2) That Senate Amendment No. 1 be concurred in by both houses.
- 3) That a severability clause be adopted and placed on the bill by both houses.
- 4) That all other amendments be deleted.

SEVERABILITY CLAUSE:

Amend House Bill No. 71 by adding a new section immediately preceding the effective date section and renumbering the subsequent section accordingly:

Section—. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Robert Lewis King

Michael D. Murphy

James H. White

Ed Blank

Frank Buck

Mr. Buck moved that the majority Report of the Conference Committee on House Bill No. 71 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	84
Noes	8

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Frensley, Gaia, Harrill, Henry (Blount), Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—84.

Representatives voting no were: Crain, Duer, Ford, Gill, Hudson, Huskey, Moore and Scruggs—8.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 434, 496, 501,

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

515, 630, 643, 668, 670, 755, 792, 968, 1032, 1078, 1147, 1279, 1282, 1321 and 1330; also, House Joint Resolution Nos. 204, 205, 206, 208, 209, 210, 211, 216, 218, 223 and 224; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

1122—To regulate enforcement, alcoholic beverage laws;

1361—To amend Chapter 46, Private Acts 1951;

1372—To levy tax, various increments, certain counties;

1373—To levy tax, various increments, certain counties;

1374—To amend Chapter 896, Public Acts 1978; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

130—Relative to honoring Reverend Bill Moss;

131—Relative to congratulating Rita Becallo;

132—Relative to memory, William Garland Reeves;

136—Relative to centennial, East Tennessee and Western North Carolina Railroad;

137—Relative to congratulating Penny Laura Cardin;

138—Relative to congratulating Michael F. Jenkins;

139—Relative to honoring Don F. Farmer;

144—Relative to expressing sorrow, Benjamin Leslie Cate, Sr.;

145—Relative to commending George Usry;

146—Relative to expressing sorrow, Hugh Gross Neil;

147—Relative to commending Bill Gibbons;

148—Relative to commending Judge Thomas G. Hull;

149—Relative to honoring Etowah Diamond Jubilee Celebration;

150—Relative to commending Darrell Akins; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution Nos.

133—Relative to study, state energy policy;

134—Relative to study, coal reserves, West Tennessee;

143—Relative to study, consumer financing laws;

153—Relative to congratulating Kimberly Jennings Dean; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1340, 1342 and 1365; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bill as indicated below, the prime sponsor having agreed to such addition:

House Bill No. 1012—Murphy (Davidson), Miller, Davis (Hamilton), Hudson, Hurley, Gaia, Owen.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 779, 989, 1355, 1357, 1358, 1359, 1360, 1362, 1364, 1368, 1369, 1371 and 1373; and House Joint Resolutions Nos. 225, 227, 228, 229 and 250; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

Mr. McKinney moved that the rules be suspended to allow all bills and resolutions on the Clerk's desk to be introduced and referred to the proper committees, that all Messages from the Senate be placed on the Message Calendar for tomorrow, all bills set on the Calendar for Monday, May 25, 1981, be reset for the Calendar for tomorrow, and further moved that the House adjourn until 9:30 a.m. tomorrow.

Mr. Clark (Sumner) moved the previous question on the motion, which motion prevailed by the following vote:

Ayes	65
Noes	25
Present and not voting	5

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Buck, Chiles, Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Duncan, Ellis, Frensley, Gill, Henry (Blount), Hillis, Jared, Johnson, Jones, Kelley, Kernell, King (Washington), Lashlee, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Owen, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work and Yelton—65.

Representatives voting no were: Byrd, Carter, Clark (Davidson), Convington, Davis (Pickett), DeBerry, Disspayne, Duer, Ford, Gaia, Harrill, Hudson, Hurley, Huskey, Kent, King (Shelby), Moore, Murphy (Shelby), Naifeh, Percy, Robertson, Robinson (Hamilton), Small, Turner and Wix—25.

Representatives present and not voting were: Bragg, Brewer, Burnet, Henry (Roane) and Mr. Speaker McWherter—5.

Thereupon, the motion to stand in adjournment until 9:30 a.m. tomorrow, and all business pending on the Clerk's Desk be properly passed, prevailed by the following vote:

Ayes	69
Noes	22
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Duncan, Ellis, Frensley, Gill, Henry (Blount), Hillis, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work and Yelton—69.

Representatives voting no were: Brewer, Byrd, Crain, Davis (Pickett), DeBerry, Disspayne, Duer, Ford, Gaia, Harrill, Hudson, Hurley, Huskey, King (Shelby), Moore, Murphy (Shelby), Naifeh, Percy, Robertson, Small, Turner and Wix—22.

Representatives present and not voting were: Henry (Roane), Love and Mr. Speaker McWherter—3.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 240—Relative to honoring Vanderbilt University—By Cobb.

The Speaker referred House Joint Resolution No. 240 to the Committee on Calendar and Rules.

House Joint Resolution No. 244—Relative to honoring Don Chase—By Scruggs, Smith and Miller.

Under the rules, House Joint Resolution No. 244 was referred to the Committee on Calendar and Rules.

House Resolution No. 66—Relative to urging equitable salary plan, 1982—83—By Burnett and Bragg.

The Speaker referred House Resolution No. 66 to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1379—To repeal Chapter 413, Private Acts of 1939—By Robinson (Washington) and King (Washington).

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

Passed first consideration.

House Bill No. 1380—To make certain provisions, state highway system—By Bell (Wilson).

Passed first consideration.

House Bill No. 1384—To amend Chapter 34 Private Acts of 1945—By Bell (Wilson).

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1367—To amend Title 2, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1374—To amend Chapter 896, Public Acts, 1978.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1377—To amend Chapter 55, Private Acts of 1951.

Passed second consideration and held without reference.

House Bill No. 1378—To provide selection of juries Gibson County.

Passed second consideration and held without reference.

House Bill No. 1381—To provide selection of juries Gibson County.

Passed second consideration and held without reference.

House Bill No. 1382—To amend Section 45-3-601, Code.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1383—To amend Charter Town of Oneida.

Passed second consideration and held without reference.

House Bill No. 1385—To amend Charter Town of Gibson.

Passed second consideration and held without reference.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1377, 1378, 1381, 1383 and 1385.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Consent Calendar for Friday,

THURSDAY, MAY 21, 1981—51st LEGISLATIVE DAY

May 22, 1981: House Joint Resolution No. 244; House Bills Nos. 1377, 1378, 1381, 1383 and 1385.

GILL, *Chairman.*

Thereupon, pursuant to Mr. McKinney's earlier motion, the House adjourned until 9:30 a.m. tomorrow.